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FORT LAUDERDALE CITY COMMISSION
SEPTEMBER 4, 2002**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION**

**CITY COMMISSION MEETING ROOM
CITY HALL
FORT LAUDERDALE, FLORIDA**

SEPTEMBER 4, 2002

Meeting was called to order at approximately 6:15 p.m. by Mayor Naugle on the above date.

Roll call showed:

Present: Commissioner Gloria Katz
Commissioner Tim Smith
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Mayor Jim Naugle

Absent: None

Also Present: City Manager, F. T. Johnson
City Attorney, Harry Stewart
City Clerk, Lucy Kisela
Sergeant At Arms - Sgt. Schendel

Invocation was offered by Dr. Harold W. McSwain, Jr., Senior Pastor, The First Congregational Church of Fort Lauderdale, followed by the recitation of the Pledge of Allegiance.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the minutes of the July 16, 2002 and July 22, 2002 meetings. Roll Call Showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith and Mayor Naugle. NAYS: None.

Presentations

OB

1. Expressions of Sympathy

The Mayor and City Commissioners presented Expressions of Sympathy to the families of Logan D. Davis and Ida M. "Eadie" Schwoyer.

Vice-Mayer Hutchinson read an Expression of Sympathy to the family of April Jill Harper.

Tom Andrew stated that he was speaking on behalf of the Riverside Park neighborhood and thanked the Commissioners and Mayor Naugle for letting him speak about Jill Harper on behalf of her husband Richard, and her friends and neighbors. He proceeded to read an Expression of Sympathy.

Commissioner Moore also read an Expression of Sympathy to the family of Evelyn Mertz.

2. September 11th Events

Mayor Naugle made announcements pertaining to September 11th observance ceremonies which

would take place at various Fire-Rescue Stations throughout the City. He stated that they would be honoring those who risked their lives, those who gave their lives, and those who lost their lives during the attack on America. He also mentioned that services would be held at The First Congregational Church of Fort Lauderdale.

3. Demonstration of a Smoke Detector.

Commissioner Smith proceeded to demonstrate the proper way to test a smoke detector.

4. Florida Department of Transportation (FDOT) Outstanding Airport Project of the Year

Rick Chesser, District Secretary, Florida Department of Transportation (FDOT) presented to the Mayor and City Commissioners the "Outstanding Airport Project of the Year" award for the City's downtown helistop project.

Commissioner Moore left the meeting at approximately 6:26 p.m. and returned at 6:29 p.m.

5. National Conference for Community and Justice (NCCJ) Days

Commissioner Hutchinson read a Proclamation for the "National Conference for Community and Justice Days" which would be observed October 16-20, 2002. Maurice Maddox, Regional Walk As One Consultant for NCCJ, accepted and stated there were a week's worth of activities planned and that the Amistad would also be back in town and thanked everyone for their participation.

6. Maria Torres, Municipal Maintenance Worker II, Parks and Recreation Department

The Mayor and City Commissioners presented a Commendation to Maria Torres, Municipal Maintenance Worker II. Commissioner Katz and Bob Rozema, President of the Galt Community Association, presented Maria Torres with a commendation for her work in the landscaping of the Galt Ocean Mile Project.

7. Commendation to James M. Hoy

Otis Latin, Fire Chief, presented a plaque from the Fire-Rescue Department to James M. Hoy for rescuing an individual from drowning and providing life safety assistance.

8. Sickle Cell Disease Association of Broward County, Inc. Month

Commissioner Moore presented a Proclamation to Cynthia Collins for her work with the Sickle Cell Disease Foundation which would be observed during the month of September. Cynthia Collins, Executive Director of Sickle Cell Disease Association of Broward County, accepted and thanked everyone for their continued support and urged everyone to donate to this worthwhile organization. She stated she could be reached at 954-524-4920 and her cell phone number was 954-579-4920.

Commissioner Hutchinson left the meeting at approximately 6:43 p.m. and returned at 6:44 p.m.

9. Proclamation for "National Literacy Month"

Commissioner Katz presented a Proclamation for "National Literacy Month" to Nancy Paul, Executive Director of the Literacy Coalition of Broward County. Ms. Paul accepted and thanked everyone. She stated they were going to have a performance called the "Juncket of Freedom" which was the dramatization of the life of Frederick Douglass, who was an abolitionist, former slave, literacy champion, and adviser to presidents. This would take place at Art Serve, Fort Lauderdale Branch Library, 1350 E. Sunrise Boulevard on Saturday, September 14th from 2:00 p.m. to 3:00 p.m.

10. Outstanding City Employees

The City Manager recognized the following individuals as Outstanding City Employees:

Ernest Burkeen, Director of Parks and Recreation Department, recognized Gerry Gibboney of the Parks and Recreation Department who transports children throughout the City for the Department's programs.

Greg Kisela, Assistant City Manager, stated that the following individuals: Ed Darrol, Warren Bentsen, and John Gigliotti of the Public Services Department were being recognized by Joseph Welch, President of the Landings Residential Association for beautifying the City Park area.

Bruce Roberts, Chief of Police, recognized their Officers for the months of July and August as follows: Officers Philip Seguin and Thomas Reed, PSA's Pattie Dube and Wanda Sappington, Jeffrey Davis, and K-9 Unit members Sergeant John Eaves and Officers Mark Reener, Phil Seguin, Thomas Reed, Richard Love and Ian Sklar of the Police Department.

Commissioner Moore left the meeting at approximately 7:00 p.m. and returned at 7:02 p.m.

Otis Latin, Chief of the Fire-Rescue Department, recognized Firefighter/Paramedic Jason Morse of the Fire-Rescue Department prepared the Beach Patrol Team for the Basic Life Support Competition.

Faye Outlaw recognized Deborah Rutkowski of the Community and Economic Development Department for her efforts in the recent Occupational License Renewal Effort.

The City Manager and Mayor Naugle presented Bill Crouch, Aviation Director, with a plaque honoring the City as having the General Aviation Airport of the Year, and stated that Florida's flight had departed going to New York where all the states would have representatives to honor the heroes and victims of September 11th.

The City Manager encouraged all employees on September 11th to stop at 10:05 and observe a moment of silence with the rest of the nation to honor those who had lost their lives in the attack.

Mayor Naugle announced that M-12 had been listed on the Consent Agenda and would be moved for a Resolution, and therefore, would be deleted and voted on separately during the Resolutions.

Commissioner Moore asked for a change in the procedure of tonight's hearing due to the fact that many people had attended regarding the Budget, and he hoped this matter could be dealt with as quickly as possible.

Mayor Naugle stated that they would attempt to go through the Consent Agenda as quickly as possible.

Consent Agenda

(CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement - Police and Fire Appreciation Day

(M-1)

A motion authorizing the proper City officials to execute an Indemnification and Hold Harmless Agreement with the **Progresso Foundation, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Police and Fire Appreciation Day** to be held **Saturday, September 14, 2002 from 11:00 a.m. to 6:00 p.m.**

Recommend: Motion to approve.

Exhibit: Memo No. 02-1228 from City Manager.

Event Agreement - 43rd Annual Fort Lauderdale International Boat Show

(M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification and Hold Harmless Agreement with **Yachting Promotions, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **43rd Annual Fort Lauderdale International Boat Show** to be held **from Thursday, October 31, 2002 to Sunday, November 3, 2002 from 10:00 a.m. to 7:00 p.m.; and Monday, November 4, 2002 from 10:00 a.m. to 6:00 p.m.** at Bahia Mar, Broward County Convention Center, Pier 66, Marina Marriott, Las Olas Municipal Marina, Hall of Fame, and D.C. Alexander Park; and further authorizing the closing of S.E. 5 Street between Fort Lauderdale Beach Boulevard (northbound State Road A-1-A) to Seabreeze Boulevard (southbound State Road A-1-A) from one hour before the show opens until one hour after the show closes each event day.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1227 from City Manager.

Event Agreement - South Florida Classic Pep Rally

(M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification and Hold Harmless Agreement with **Bethune-Cookman College** to indemnify, protect, and hold harmless the City from any liability in connection with the **South Florida Classic Pep Rally** to be held **Friday, September 20, 2002 from 8:00 p.m. to 10:00 p.m.**; and further authorizing the closing of S.W. 4 Avenue from the driveway to the parking lot behind the old post office site to the cul-de-sac at Riverwalk from 6:00 p.m. to 11:00 p.m. on the event day.

Recommend: Motion to approve

Exhibit: Memo No. 02-1229 from City Manager

Event Agreement - Pirates in Paradise

(M-4)

A motion authorizing the proper City officials to execute an Insurance, Indemnification and Hold Harmless Agreement with **Winterfest, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Pirates in Paradise** to be held **Friday, October 4, 2002 from 5:00 p.m. to 11:00 p.m.**; and further authorizing the closing of Sunrise Lane from N.E. 9 Street to the north end of the Parrot Lounge from 9:00 a.m. Friday, October 4 to 2:00 a.m. Saturday, October 5, 2002.

Recommend: Motion to approve

Exhibit: Memo No. 02-1230 from City Manager

**Agreement - Broward County R.C. Race Club, Inc. -
Radio Operated Auto Racing at Mills Pond Park**

(M-5)

A motion authorizing the proper City officials to execute a two-year agreement with the Broward County R.C. Race Club, Inc. to conduct radio operated auto racing at Mills Pond Park.

Recommend: Motion to approve

Exhibit: Memo No. 02-1055 from City Manager

**Change Order No. 1 - F & L Construction, Inc. - Project 10250-B -
Repair of Paver Crossing on Sunrise Boulevard and State
Road A-1-A**

(M-6)

A motion authorizing the proper City officials to execute Change Order No. 1 with F & L Construction, Inc. in the amount of \$15,353.93 for the repair of the paver brick crossing at the intersection of sunrise Boulevard and State Road A-1-A.

Funds: See Change Order.

Recommend: Motion to approve

Exhibit: Memo No. 02-1160 from City Manager

**Change Order No. 1 - Weekley Asphalt Paving, Inc. -
Project 10252-A - Annual Contract (2001/2002) for Asphaltic
Concrete Pavement Surfacing**

(M-7)

A motion authorizing the proper City officials to execute Change Order No. 1 with Weekley Asphalt Paving, Inc. in the amount of \$79,026.95 for additional funding for the annual contract (2001/2002) for asphaltic concrete pavement surfacing.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 02-1161 from City Manager.

**Contract Award - Weekley Asphalt Paving, Inc. -
Project 10273 - N.E. 18 Avenue Roadway Improvements**

(M-8)

A motion authorizing the proper City officials to execute an agreement with Weekley Asphalt Paving, Inc. in the amount of \$172,249.91 to construct medians and landscaping on N.E. 18 Avenue between Commercial Boulevard and the C-14 Canal.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-1162 from City Manager.

**Contract Award - United Engineering Corporation -
Project 10171 - 24-Inch DIP Force Main on S.W. 4 Avenue**

(M-9)

A motion authorizing the proper City officials to execute an agreement with United Engineering Corporation in the amount of \$1,229,500 for the construction of a 24-inch DIP force main on S.W. 4 Avenue from S.W. 5 Street to S.W. 19 Street.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-1166 from City Manager.

**Contract Award - Arrow Directional Boring, Inc. - Project 10171-A-
Force Main Improvements on S.W. 4 Avenue, Directionally Drilled
River Crossings**

(M-10)

A motion authorizing the proper City officials to execute an agreement with Arrow Directional Boring, Inc. in the amount of \$1,603,404 for force main improvements on S.W. 4 Avenue, for the Directionally Drilled River Crossings project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-1167 from City Manager.

**Contract Award - Majestic Group Enterprises, Inc. -
Project 10313 - N.E. 15 Avenue Roadway Improvements**

(M-11)

A motion authorizing the proper City officials to execute an agreement with Majestic Group Enterprises, Inc. in the amount of \$213,108.80 to construct medians on N.E. 15 Avenue from N.E. 13 Street to the South Fork Middle River.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-1163 from City Manager.

**Grant Application - Broward County Boating
Improvement Program (BBIP) - Marshall's Point
Boating Improvements**

(M-12)

A motion authorizing the proper City officials to apply for a Broward County BBIP grant in the amount of \$200,000 for the funding of boating improvements at Marshall's Point; and further authorizing the proper City officials to execute any and all documents necessary to receive such grant funding.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-1159 from City Manager.

**Lease Agreement - Ocean Bistro, Inc. - Birch Road/Alhambra
Parking Lot**

(M-13)

A motion authorizing the proper City officials to execute a one-year agreement with Ocean Bistro, Inc. for use of the Birch Road/Alhambra parking lot.

Recommend: Motion to approve

Exhibit: Memo No. 02-1157 from City Manager

**Sanitary Sewer Agreement - Sovereign Development
Group IV, Inc. - 3101 S.W. 3 Avenue**

(M-14)

A motion authorizing the proper City officials to execute a sanitary sewer agreement with Sovereign Development Group IV, Inc., located at 3101 S.W. 3 Avenue, to connect to the existing wastewater transmission system located at S.W. 28 Street and S.W. 3 Avenue.

Recommend: Motion to approve

Exhibit: Memo No. 02-953 from City Manager

**Amendment to Sanitary Sewer Agreement -
Maison Saint- Antoine LLC, Developer for Old Progresso Village
Project - Bounded by Sunrise Boulevard, N.W. 1 Avenue,
N.W. 6 Street and N.W. 2 Avenue**

(M-15)

A motion authorizing the proper City officials to execute an amendment to the sanitary sewer agreement with the developer of Old Progresso Village, Maison Saint-Antoine, LLC, to revise the amount of the original agreement to \$1,577,307 for the construction of sanitary sewer collection mains, a pump station, a force main, and water mains in the proposed project development area.

Recommend: Motion to approve

Exhibit: Memo No. 02-1168 from City Manager

**Amendment to Agreement between All Service/Republic
Industries, Inc. and Broward County for Solid Waste and Recycling
Collection Services - Melrose Park and Riverland Isles Neighborhoods**

(M-16)

A motion authorizing the proper City officials to execute an amendment to the agreement between All Service/Republic Industries, Inc. and Broward County for solid waste and recycling collection services in the Melrose Park and Riverland Isles Neighborhoods.

Recommend: Motion to approve

Exhibit: Memo No. 02-985 from City Manager

**Interlocal Agreement - Broward County -
Specialty Permit Program Services**

(M-17)

A motion authorizing the proper City officials to execute an interlocal agreement with Broward County to continue the provision of inspection, plan review services, etc. offered through the Specialty Permit Program in the City.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1067 from City Manager.

**Disbursement of Funds -
Joint Investigation - O.R. No. 00-099171 - \$134,993.12 U.S. Currency**

(M-18)

A motion authorizing the equitable disbursement of funds in the amount of \$134,993.12, with each of the 16 participating task force agencies to receive \$8,437.07.

Recommend: Motion to approve.

Exhibit: Memo No. 02-7-5 from City Attorney.

**Disbursement of Funds -
Joint Investigation - O.R. No. 00-130239 - \$3,452.98 U.S. Currency**

(M-19)

A motion authorizing the equitable disbursement of funds in the amount of \$3,452.98 with each of the 15 participating task force agencies to receive \$230.19.

Recommend: Motion to approve.

Exhibit: Memo No. 02-8-1 from City Attorney.

**Disbursement of Funds -
Joint Investigation - O.R. No. 99-133998 - \$190,000 U.S. Currency**

(M-20)

A motion authorizing the equitable disbursement of \$10,000 to the Saint Petersburg Police Department in connection with the court-awarded funds to the City of Fort Lauderdale in the amount of \$190,000.

Recommend: Motion to approve.

Exhibit: Memo No. 02-8-5 from City Attorney.

**Interlocal Agreement - Broward County - Broward County
Shore Protection Project/Beach Renourishment Program -
Segments II and III**

(M-21)

A motion authorizing the proper City officials to execute an interlocal agreement with Broward County for the permitting, construction and funding of Segments II and III of the Broward County Shore Protection Project.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1090 City Manager.

Dock Lease Agreement - Searock, Inc.(d/b/a/ Allied Marine Group)

(M-22)

A motion authorizing the proper City officials to execute a lease agreement with Searock, Inc. (d/b/a/ Allied Marine Group) for 650 lineal feet of dockage on the New River (slip numbers 1-6 and 10-17) for a term of October 1, 2002 through September 30, 2002.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1300 from City Manager.

Agreement - Palazzo Las Olas Group, LLC -

(M-23)

Ground Lease Portion of Las Olas Intracoastal Redevelopment Property

A motion authorizing the proper City officials to execute a one-year agreement with Palazzo Las Olas Group, LLC to allow for the ground lease of a portion of the Las Olas Intracoastal redevelopment property for a sales office, including authorization for the Palazzo Las Olas Group, LLC to engage in pre-sale activities subject to certain terms and conditions.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1314 from City Manager.

Dockage Use Agreement - Marine Industries Association of South Florida, Inc. (MIASF) and Yachting Promotions, Inc. - Use of Las Olas Municipal Marina for the 2002 Fort Lauderdale International Boat Show

(M-24)

A motion authorizing the proper City officials to execute a dockage use agreement MIASF and Yachting Promotions, Inc. for the use of the Las Olas Municipal Marina in connection with the 2002 Fort Lauderdale International Boat Show.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1306 from City Manager.

Contract Extension - Rhodes Insurance Group - Assistance with City's Self-Funded Health Benefits Plan

(M-25)

A motion authorizing the proper City officials to continue using the consulting services of the Rhodes Insurance Group until December 31, 2002 for assistance with the City's self-funded health benefits plan.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1217 from City Manager.

**Payment for Additional Services -
Rachlin Cohen & Holtz Healthcare Advisors
Consulting Division - Assistance with Transfer of Third Party Administrator**

(M-26)

A motion authorizing the proper City officials to approve payment for additional services to be provided by rachlin Cohen & Holtz Healthcare Advisors Consulting Division to assist with the transfer and conversion of data from one third party administrator to another.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1214 from City Manager.

**Transfer from General Fund Contingencies -
Amistad America, Inc. - Freedom Schooner
Amistad's Visit to Fort Lauderdale**

(M-27)

A motion authorizing the proper City officials to transfer \$27,000 from General Fund Contingencies to account FD001/219000062 (Amistad Donations) for payment to Amistad America, Inc. for the Freedom schooner Amistad visit to Fort Lauderdale October 16-21, 2002.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-1340 from City Manager.

Fiscal Year 2001/2002 Budget Amendment

(M-28)

A motion authorizing the amendment of the FY 2001/2002 budget to reflect increased expenditures.

Funds: See Memo

Recommend: Motion to approve

Exhibit: Memo No. 02-1295 from City Manager

**Transfer of Law Enforcement Trust Funds (LETf) -
Donation to the Florida Missing Children Program**

(M-29)

A motion authorizing the proper City officials to transfer \$500 from the LETf to the Office of the Chief of Police Budget account for the purpose of donating funds to the Florida Missing Children Program.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-1298 from City Manager.

**Amendment to Grant Agreement - Florida Department of
Children and Families(DCF) - Refugee Services Office Grant**

(M-30)

A motion authorizing the proper City officials to execute an amendment to the agreement with DCF to extend the Refugee Services office Grant ending date to December 31, 2002 and adjust the location of specific outreach tasking and direct task requirements.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1101 from City Manager.

**Grant Application and Transfer of Law Enforcement
Trust Funds (LETf) - Florida Department of Law
Enforcement (FDLE) - 7th Avenue Recovery, Inc. Project New Start**

(M-31)

A motion authorizing the proper City officials to accept a grant from FDLE in the amount of \$25,420 and transfer \$8,475 from the LETF to Fund 129 to use as a cash match for the 7th Avenue Recovery, Inc. Project New Start effective October 1, 2002, and further authorizing the proper City officials to execute all documents necessary to accept and dispense such grant funds.

Funds: Transfer \$8,475 from LETF to Fund 129 (Miscellaneous Grants)

Recommend: Motion to approve.

Exhibit: Memo No. 02-1098 from City Manager.

**Grant Application - Florida Department of Law Enforcement(FDLE) -
Broward Chabad House Academic Institute Center, Inc. - Project PRIDE**

(M-32)

A motion authorizing the proper City officials to accept a grant from FDLE in the amount of \$21,600 in support of the Broward Chabad House Academic Institute Center, Inc.'s Project PRIDE effective October 1, 2002; and further authorizing the proper City officials to execute all documents necessary to accept and dispense such grant funds.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1097 from City Manager.

**Grant Application and Transfer of Law Enforcement Trust`
Funds (LETf) - Florida Department of Law Enforcement (FDLE) -
Family and Friends Project**

(M-33)

A motion authorizing the proper City officials to accept a grant from FDLE in the amount of \$60,750 and transfer \$40,000 from the LETF to Fund 129 to use as cash match for the Family and Friends Project effective October 1, 2002; and further authorizing the proper City officials to execute all documents necessary to accept and dispense such grant funds.

Funds: Transfer \$40,000 from LETF to Fund 129 (Miscellaneous Grants)

Recommend: Motion to approve.

Exhibit: Memo No. 02-1094 from City Manager.

**Grant Acceptance and Transfer of Law Enforcement Trust
Funds (LETf) - Florida Department of Law Enforcement (FDLE) -
FY 2002/2003 Parents and Children Coming Together (PACT) Program**

(M-34)

A motion authorizing the proper City officials to accept grant funds from FDLE in the amount of \$39,812 and transfer \$5,000 from the LETf to Fund 129 to use as cash match for the PACT Program effective October 1, 2002; and further authorizing the proper City officials to execute all documents necessary to accept such grant funds.

Funds: Total Cash Match of \$19,172 as follows: transfer \$5,000 from LETf to Fund 129 (Miscellaneous Grants), and accept cash match from Broward County League for the Hard of Hearing, Inc. (LHH) for \$14,172.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1095 from City Manager.

**Grant Acceptance and Transfer of Law Enforcement Trust
Fund (LETf) - Florida Department of Law Enforcement (FDLE) -
"Club Drug" Project**

(M-35)

A motion authorizing the proper City officials to accept grant funds from FDLE in the amount of \$67,500 and transfer \$32,500 from the LETf to Fund 129 to use as cash match for the "Club Drug" project effective October 1, 2002; further authorizing the proper City officials to execute all documents necessary to accept such grant funds.

Funds: Transfer \$32,500 from LETf to Fund 129 (Miscellaneous Grants)

Recommend: Motion to approve.

Exhibit: Memo No. 02-1096 from City Manager.

**Grant Acceptance and Interagency Agreement - Florida
Department of Juvenile Justice Civil Citation Grant -
The Starting Place, Inc. Juvenile Diversion Program**

(M-36)

A motion authorizing the proper City officials to accept grant funds from Florida Department of Juvenile Justice in the amount of \$93,635 retroactive to July 1, 2002 in support of the Juvenile Diversion Program; and further authorizing the proper City officials to execute an Interagency Agreement with The Starting Place, Inc. and all other documents necessary to receive and expend such grant funds.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1100 from City Manager.

**Grant Acceptance - Broward County Parks and Recreation
Division - FY 2002/2003 Enhanced Marine Law Enforcement Grant**

(M-37)

A motion authorizing the proper City officials to accept grant funds from the Broward County Parks and Recreation Division in the amount of \$90,720 for the FY 2002/2003 Enhanced Marine Law Enforcement Grant; and further authorizing the proper City officials to execute all documents necessary to receive and expend such grant funds.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1093 from City Manager.

**Joint project Agreement (JPA) - Downtown Development
Authority (DDA) - S.E./S.W. 2 Street Streetscape Improvements**

(M-38)

A motion authorizing the proper City officials to execute a JPA with the DDA for the S.E./S.W. 2 Street streetscape improvements from Federal Highway (U.S. 1) to S.W. 3 Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 02-1165 from City Manager.

**Task Order Amendment - Keith and Schnars, P.A. - Project 10247
N.E. 33 Avenue/Dolphin Isles Neighborhood Improvement Project**

(M-39)

A motion authorizing the proper City officials to execute an amendment to the task order with Keith and Schnars in the amount of \$5,400 for the coordination of design services for the N.E. 33 Avenue/Dolphin Isles Neighborhood improvement project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-1158 from City Manager.

**Authorization for Payment - Florida Power and Light (FPL) -
Project 15200 - Holiday Park Roller Hockey Rinks Project**

(M-40)

A motion authorizing the payment of \$21,401 to FPL to remove the overhead power lines that conflict with the new roller hockey rinks at Holiday Park and provide a new underground service to feed those facilities that were previously served by the overhead lines.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-1156 from City Manager

PURCHASING AGENDA

Proprietary - Additional Management In-Basket Examinations

(Pur-1)

An agreement to purchase additional general management in-basket and other supervisory examinations is being presented for approval the Administrative Services, Human Resources Division.

Recommended Award: Management & Personnel Systems, Inc.
Walnut Creek, CA

Amount: \$20,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibits: Memorandum No. 02-1245 from City Manager.

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the proprietary purchase.

**722-8702 - Concession and Catering
Services/War Memorial Auditorium**

(Pur-2)

Two-year contract for concession and catering services at War Memorial Auditorium is being presented for approval by the Parks and Recreation Department.

Recommended Award: Professional Concessions, Inc.
Fort Lauderdale, FL
Amount: \$60,000.00 (estimated annual revenue)
Bids Solicited/Rec'd: 110/2 with 2 no bids, 1 late bid
Exhibits: Memorandum No. 02-1251 from City Manager.

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award to the first ranked proposer.

722-8720 - Purchase of Playground Equipment

(Pur-3)

Purchase of playground equipment is being presented for approval by the Parks and Recreation Department.

Recommended Award: PlaySpace Services, Inc.
St. Cloud, FL
Amount: \$42,995.50
Bids Solicited/Rec'd: 77/6 with 3 no bids
Exhibits: Memorandum No. 02-1240 from City Manager

The Procurement and Materials Management Division recommends award to the lowest responsive and responsible bidder.

222-8746 - Purchase of Ammunition

(Pur-4)

Purchase of ammunition is being presented for approval by the Police Department.

Recommended Award: Oaks Wholesale
Rockledge, FL
Gulf State Distributors
Montgomery, AL
Elmer Arms
Pittsgrove, NJ
Amount: \$75,524.00 (estimated)
Bids Solicited/Rec'd: 34/4
Exhibits: Memorandum No. 02-1258 from City Manager.

The Procurement and Materials Management Division recommends award to the lowest responsive and responsible bidders.

Emergency Repair - 16" Water Main

(Pur-5)

Emergency repair of 16" water main is being presented for approval by the Public Services Department.

Recommended Award: Industrial Divers
Fort Lauderdale, FL
Amount: \$13,630.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-1268 from City Manager.

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the emergency purchase.

522-8725 - Executive Search Firm - Finance Director

(Pur-6)

A contract for executive search firm services for the Finance Director is being presented for approval by the Administrative Services, Human Resources Division.

Recommended Award: Ralph Andersen & Associates
Rocklin, CA
Amount: \$28,000.00
Bids Solicited/Rec'd: 72/12 with 1 no bid
Exhibits: Memorandum No. 02-1305 from City Manager.

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award to the first ranked proposer.

The following items were removed from the Consent Agenda as recommended:

Commissioner Katz requested that items M-8, M-17, and M-38 be removed from the agenda. Commissioner Hutchinson requested that item M-31 be removed from the agenda. Commissioner Smith requested that items M-1, M-11, and M-37 be removed from the agenda. The City Manager stated that the City Clerk had sent out a clarification on M-27 which deals with the City's authorization to issue a check for the Amistad. He explained they were expecting sufficient contributions to cover the cost, and therefore, no cost would be placed on the City. The City Manager continued and stated that regarding Pur-2, the War Memorial Auditorium Concessions, the correct concession and catering percentages were sent in an e-mail and should be made a part of the record for the Commission to act on.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item Nos. M-1, M-11, M-8, M-17, M-31, M-37, and M-38 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith and Mayor Naugle. NAYS: None.

Event Agreement - Police and Fire Appreciation Day

(M-1)

Commissioner Smith stated that he pulled this item due to having some questions. He further stated that he wanted to call up the City Event Coordinator Kim Warren and his wife, Cindy Smith, who were Co-Chairs of this event. He asked for some further details regarding this event.

Ms. Warren stated that after seeing demonstrations from the Police and Fire/Rescue Departments this

evening, the City joined with them as partners to sponsor the event on September 14, 2002 a celebration of hometown heroes and demonstrations from the Departments. Booths would be set up by the Homeowners' Associations. She urged everyone to attend and added that KISS Country would sponsor events throughout the day.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-1 be approved as recommended. Roll call showed: YEAS - Commissioners Smith, Hutchinson, Moore, Katz, and Mayor Naugle. NAYS - None.

**Contract Award - Weekley Asphalt Paving, Inc. -
Project 10273 - N.E. 18 Avenue Roadway Improvements**

(M-8)

Commissioner Katz stated she wanted to comment on the funds for the N.E. 18 Avenue Roadway Improvements, and not about the Weekley Asphalt Paving. She stated there was not enough money to complete the job and completion was postponed, and she wanted to make sure there would be sufficient funds to complete the project.

Greg Kisela, Assistant City Manager, stated that they broke N.E. 18th into two phases knowing that there was approximately \$250,000, which 1/3 went to design services leaving a balance of \$185,000. He explained that in order to complete the project they needed another \$185,000 and they would be applying for a Transportation Enhancement Grant. He further stated that they would search the CIP for funds.

Commissioner Smith stated that his neighborhood had a road project which had a \$46,000 shortfall and he felt it would be unfortunate if they could not find a way to complete the projects and wanted Mr. Kisela to search the CIP, and was in favor of completing the road projects and doing them one time.

Commissioner Katz thanked Commissioner Smith for his support and she felt the landscaping phase could possibly be funded by the MPO.

The City Manager stated he would report back to the Commission regarding potential funding sources.

Motion made by Commissioner Katz and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-8 be approved as recommended. Roll call showed: YEAS - Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS - None.

**Contract Award - Majestic Group Enterprises, Inc.
Project 10313 - N.E. 15 Avenue Roadway Improvements**

(M-11)

Commissioner Smith stated this was more evident why it made sense to proceed and finish the project. He stated this project had a \$46,000 shortfall and the landscaping was yet to be done.

Greg Kisela, Assistant City Manager, clarified that this item was to do the basic curb and mortar type work and did not include the landscaping.

Commissioner Smith asked how much additional monies were needed to complete the landscaping. *Greg Kisela* stated the additional \$46,000 was for the round-about and the medians without the landscaping. Commissioner Katz asked if the landscaping would come from the MPO.

Dennis Girisgen, Engineering Bureau, stated they proposed to construct the bare minimums for the medians in order to avoid disruption. He continued stating they provided for an Enhancement Grant through the MPO. He explained they needed an additional \$22,000 in order to finish the landscaping.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the money be

found to plant the trees in the medians at this time for the cost of \$22,000, and also that the funds be provided to complete the entire project.

Commissioner Katz agreed and stated if money was received from the MPO, the funds could be replaced. Commissioner Smith agreed that was a good compromise.

Mayor Naugle stated that for clarification purposes the contractor did not do the additional work.

Greg Kisela stated they did not identify the funding source for the \$22,000 and it would have to come back with recommendations that could be contingencies. Commissioner Smith stated they were ending the year with \$800,000 in contingencies and he felt spending \$22,000 made sense to avoid doing the work twice.

The City Manager stated that the consensus of the Commission was that they wanted this project completed, and he would return with information regarding the funding source.

Mayor Naugle stated that the item would be approved with the understanding that the funding source would be made known at a later date.

Roll call on the motion showed: YEAS - Commissioners Moore, Hutchinson, Katz, Smith and Mayor Naugle. NAYS: None.

**Interlocal Agreement - Broward County -
Specialty Permit Program Services**

(M-17)

Commissioner Katz stated that she pulled this and wanted to take the opportunity to state that this was a great program and she remarked that 10 or 15 different developments had used it. She felt the Building Permit Process was still taking too long and was receiving many complaints. She suggested it might be time to research the matter further and possibly see how other cities were handling this process.

Greg Kisela, Assistant City Manager, stated that they could explore and research what other cities were doing to expedite the process and agreed that the process was taking too long.

Mayor Naugle asked if it would be useful to obtain data from other major cities in the State of Florida and check their turn-around times for permits.

Commissioner Smith stated that he was aware of there being criteria stating eligibility for the specialty permits and he suggested finding a way to enhance such a program.

Mayor Naugle stated that this item would be approved as presented and then ideas would be researched on both subjects and reports given at a later date.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-17 be approved as recommended. Roll call showed: YEAS - Commissioners Moore, Hutchinson, Katz, Smith and Mayor Naugle. NAYS: None.

**Grant Application and Transfer of Law Enforcement Trust
Funds (LETF) - Florida Department of Law Enforcement (FDLE) -
7th Avenue Recovery, Inc. Project New Start**

(M-31)

Commissioner Hutchinson stated that she had pulled this due to questions being raised where this project

was located. Commissioner Smith stated that it was at 7th Avenue.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to approve Item M-31 as presented. Roll call showed: YEAS - Commissioners Moore, Hutchinson, Katz, Smith and Mayor Naugle. NAYS: None.

**Grant Acceptance - Broward County Parks and Recreation
Division - FY 2002/2003 Enhanced Marine Law Enforcement Grant**

(M-37)

Commissioner Smith stated that he had pulled this item due to the fact that people had questioned him about the amount of \$115,000 and he proceeded to ask if this was the correct amount.

Bob Cooke, Grants Coordinator Police Department, stated that they applied for that amount for Operation Venice of America, and they actually received \$90,000.

Commissioner Smith remarked that Mr. Cooke did a tremendous job in searching for grants for the City.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve Item M-37 as presented. Roll call showed: YEAS - Commissioners Moore, Hutchinson, Katz, Smith and Mayor Naugle. NAYS: None.

**Joint Project Agreement (JPA) - Downtown Development
Authority (DDA) - S.E./S.W. 2 Street Streetscape Improvements**

(M-38)

Commissioner Katz stated that she wanted to know when they proceeded with this project that it would be tied in with the Sub-Area Mobility Study.

Hector Castro, City Engineer, stated that EDSA was a consultant for this project and also for the Sub-area Mobility Study, and therefore, there would be close coordination.

Motion made by Commissioner Katz and seconded by Commissioner Smith to approve Item M-38 as presented. Roll call showed: YEAS - Commissioners Moore, Hutchinson, Katz, Smith and Mayor Naugle. NAYS: None.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

**Proposed Lien Settlements for Special Master
and Code Enforcement Board Cases**

(M-41)

A motion authorizing the settlement of liens for the following Special Master and Code Enforcement Board cases:

1. 2150 S.E. 17 Street (CE99020686) - Landmark First National Bank/Marina Motor Inn Enterprises - \$25,000

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2. 1707 N.W. 6 Street (CE01120734) - Gihad O. Hasan and Ikram Hasan - \$2,700
3. 1040 N.E. 4 Avenue (CE00091848) - Nathan Posey - \$2,580
4. 729 N.W. 3 Avenue (CE99021001) - Patrick Williams and Perito Williams - \$14,000
5. 1551 N.W. 6 Street (CE01120735) - Doris Brown - \$1,000
6. 1131 S.W. 25 Avenue (CE1030067) - James B. Amendola and Marie Amendola - \$900
7. 1559 N.W. 10 Place (CE97110061) - Aston Bright and Winsome H. Bright - \$11,780
8. 2180 N.E. 63 Court (CE98080128) - John Mazzurco - \$3,876
9. 305 S.W. 24 Avenue (CE98042317) - Valerie Henry - \$1,300
10. 524 North Federal Highway (CE01111626) - Samuel R. Schwartz - \$4,800
11. 918 N.W. 24 Avenue (CE00060068) - Dreck Properties - \$1,400
12. 6201 North Dixie Highway (CE00060072) - Hess Realty Corporation - \$5,600
13. 1220 N.E. 5 Terrace (CE00111689) - Auriole Hilaire - \$6,225
14. 808 S.E. 13 Street (CE98040191) - Vanessa Rossi - \$1,000
15. 1830 S.E. 4 Avenue (CE00091230) - Adquarters, Inc. - \$1,200
16. 1800 N.W. 14 Avenue (9119244) - Salomon Brothers Realty Corporation - \$7,000
17. 1155 Chateau Park Drive (CE01021405) - Dumervil Poliard, Silfida Pericles, and Margaret Smikle - \$2,000

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the lien settlements as recommended.

Mayor Naugle asked if there were any individuals in the audience who disputed any of the lien settlements that were listed on the agenda.

Items No. 4 and No. 17 were pulled for discussion.

Commissioner Smith stated that he was disappointed because they appeared to be fining and collecting fines from people who had real quality of life citations at a greater degree than in the past. He felt this was a step in the other direction and stated that many of them were for things such as painting, plumbing, trash, etc. He stated they were often down to 10% and if they wanted to clean up the rest of the City, they needed to stop dropping these fines to \$.10 on the \$1.00 and make an example out of people taking advantage of people and not maintaining their properties. He continued stating that he had problems with Items 2, 3, 4, 5, 6, 7, 9, 10 and 11.

Mayor Naugle stated that typically Commissioners were asked if they had concerns about any items in their districts due to the fact that they might be aware of extenuating circumstances.

Commissioner Smith explained there were so many and the fines were small, and the reduction fine was so great he had trouble with the entire item. He believed that only a couple were in his district, and suggested that they pull this item because he felt they were not setting an example.

Commissioner Moore stated that he would meet Commissioner Smith half-way and take this item to discussion only with the individuals who were present at tonight's meeting and the remaining items be tabled until the September 17th meeting and discuss the matter further. Commissioner Smith agreed.

Liens for the following addresses would be discussed this evening:

1. 2150 S.E. 17 Street (CE99020686) - Landmark First National Bank/Marina Motor Inn Enterprises - \$25,000
4. 729 N.W. 3 Avenue (CE99021001) - Patrick Williams and Perito Williams - \$14,000
10. 524 North Federal Highway (CE01111626) - Samuel R. Schwartz - \$4,800

Commissioner Moore asked to remove Item No. 10 and Commissioner Hutchinson agreed.

12. 6201 North Dixie Highway (CE00060072) - Hess Realty Corporation - \$5,600.

Commissioner Smith stated that he was okay with Item No. 12 and Commissioner Hutchinson agreed, and Commissioner Smith stated he was also okay with No. 8. Commissioner Moore objected and wanted this item tabled. Commissioner Smith agreed.

13. 1220 N.E. 5 terrace (CE00111689) - Auriole Hilaire - \$6,225

Commissioner Smith stated that he was okay with this item since they were collecting 50% of the fine. Mayor Naugle stated that this matter would be discussed tonight.

14. 808 S.E. 13 Street (CE98040191) - Vanessa Rossi - \$1,000

Commissioner Hutchinson asked for this item to be removed.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to table Items 2, 3, 5, 6, 7, 8, and 11 to September 17, 2002 at 6:00 p.m. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith and Mayor Naugle. NAYS: None.

Commissioner Moore reiterated that a number of people were present at tonight's meeting in regard to the budget. He realized that some people were present regarding various properties due to the fact that they were negligent in their properties. He requested that the Commission proceed to Public Hearing No. 1.

Mayor Naugle asked if there were any objections to moving forward to PH-1, and then they would return to the lien settlement items. There being no objections the Commission proceeded.

Fiscal Year 2002/2003 Budget

(PH-1)

The first public hearing on the proposed millage rate and tentative budget of the City of Fort Lauderdale for the fiscal year beginning October 1, 2002 and ending September 30, 2003. Notice of proposed ordinance was published August 22 and August 29, 2002.

Mayor Naugle stated that the purpose of this hearing was to receive requests and comments regarding the City's budget, tax levies, and to explain budget and amendments thereto. He further stated that the public hearing was opened and the Budget Office would proceed to present the millage rates certified by the Property Appraiser on which the proposed taxes which appear on the notices by owners of property in the City are based and the reason for the increase in the proposed millage rate.

Terry Sharp, Assistant Finance Director, explained this was the first of the two required public hearings on the millage rates and the budget. The purpose was to summarize the reasons for any recommended property tax millage, take public comment regarding property taxes, and the recommended budget to seek tentative approval of the millage rate for the Fiscal Year 2003 Budget. He further stated that in Public Hearing No. 3 to seek final approval of the Fire/Rescue Special Assessment for Fiscal Year 2003.

Commissioner Moore left the meeting at approximately 7:45 p.m. and returned 7:47 p.m.

Commissioner Hutchinson left the meeting at approximately 7:47 p.m. and returned 7:49 p.m.

Mr. Sharp explained that the City millage rates were only part of the tax bill that property owners received and that in August they should have received Truth-in-Millage Notices indicating what the taxable value of their property would be for the coming year, and the millage rates being proposed by all the taxing entities which affect the property. He further stated that the City's tax rate as proposed would represent about 22% of the total tax bill. The schools received 35% and the County receives 30%.

Mr. Sharp continued stating that if you had a homesteaded property the Save Our Homes Constitution of the State limits the value of the taxable property to only go up to whatever the Consumer Price Index was at the time. The limit this year was 1.6%. He explained that 1 mill equaled the rate per taxable value. Last year the average home value was \$154,500 and this year the assessed value was \$156,972. He stated that the proposed operating millage rate was 4.8472% and the two debt service millages were .4213% for a combined millage rate proposed of 5.2685%. He further explained that for the average homeowner the City tax bill would decrease \$.51.

Mr. Sharp stated that the total proposed budget for all funds totaled \$345.2 Million and the General Fund which was the recipient of most of the property tax was \$206.1 Million. The Enterprise Funds, Water and Sewer, Storm Water, Executive Airport, Parking System was \$119.2 Million; Community Redevelopment Agency was \$5.6 Million, and the Debt Service Budget was \$14.2 Million.

Mr. Sharp further explained that the property tax was one of several resources for the total City budget and represent about 25% of the resources needed for the All Funds Budget. Charges for Services actually brought in more revenue to pay for the total City Budget. He further stated that the General Fund Budget which included the police, fire/rescue, parks and recreation, street maintenance, general administration, and code enforcement was the recipient of most of the property taxes which represent one-third of the General Fund resources. He stated that the City also received some utility taxes.

Mr. Sharp stated that tonight's budget was a 7.3% increase over the current fiscal year budget. Increases in the budget include conducting City elections in 2003 of \$168,000; funding of police positions that were formerly funded through grants were \$248,000; additional legal resources, including the new City Attorney and an additional paralegal were \$157,000; maintenance of areas of Riverwalk and the County bond preservation areas were \$173,000; increase costs at the jail of \$94,000; and increased health costs of \$2.1 Million.

Mr. Sharp continued stating that Phase II of the Personally Assigned Vehicles Program in the Police Department would cost \$100,000; increased City contributions to the employee pension plans \$3.5 Million; compensation increases for bargaining unit employees based upon the third year of the Union contracts \$3.7 Million; and an increase which did not affect the millage rate which was the cost to serve the new annexed areas of \$3 Million. The tax rate would not be affected because they would get additional property value in the newly annexed areas.

Commissioner Smith asked to what number did the annexed areas become cost positive. Mr. Sharp replied it was almost a couple of million dollars in terms of incremental revenue versus incremental costs.

Mr. Sharp stated that in terms of other City fees besides millage rates, they were proposing a 5% increase in the Fire/Rescue Assessment which would total \$42 for each residential unit; 2.5% increase in the water and sewer fees; 7.5% increase in building fees; and the recreation fees were going to be reviewed.

Commissioner Moore asked how much money would the increase for Fire/Rescue generate. Mr. Sharp replied it would total approximately \$300,000 in terms of additional revenue.

Mr. Sharp announced there would be a second public hearing scheduled at City Hall on September 17, 2002 at 6:00 p.m. Information regarding the budget was available in City Hall, the City Clerk's Office, the Finance Department, and all Broward County libraries in Fort Lauderdale, and at the City's website.

Mayor Naugle asked if any individuals from the public had any questions on the budget.

Carol Wasserman, representing Family Central, stated that in the past the Commission had been very supportive of non-profits. She explained they were the largest Child Welfare Agency in South Florida and receive the subsidy for childcare dollars. She stated since the budget process changed this year, they did

not have the opportunity to request funding, and therefore, she was requesting tonight for the Commission to support the children. The projection for the coming year was that they would serve 1600 children.

Commissioner Moore stated he was under the impression that the taxing authority was going to generate tax dollars for services for children, but Ms. Wasserman stated that when the contribution was made they did not get the match they normally would receive unless it was given by the City. Ms. Wasserman stated that she did not know the answer, but would seek the information for Commissioner Moore, but stated they were getting \$4 Million.

Mayor Naugle reiterated that if they received \$4 Million it would be approximately \$800,000 coming from the residents of Fort Lauderdale.

Thomas Snell, President of West Lauderdale Football Program, stated they were an organization to mold youth into productive young men and women in the community. He asked for the Commission's support in maintaining this program in buying equipment and providing transportation for the children for various activities in the community.

Commissioner Smith asked how long this club was in existence. Mr. Snell replied since the mid-1960's. Commissioner Smith asked when they had last received funding from the City and in what amount. Mr. Snell replied they had received some funding in 1999 in the amount of approximately \$7,500. He continued stating they were one of the largest youth groups in South Florida with 11 football teams averaging 37 children per team, and each team had a cheerleader squad who played at Mills Pond Park. Commissioner Smith asked what percentage of those children were residents of the City. Mr. Snell replied approximately 80% or better. Commissioner Smith asked if they were requesting a specific amount of money at tonight's meeting. Mr. Snell stated that he did not break down the dollar amount, but would request a similar amount to be considered by the Commission. Commissioner Smith stated that since they played at Mills Pond, the City's Parks and Recreation people were aware of this organization.

Commissioner Moore stated that Johnny Alexander was one of the founding members of this organization and that the \$7,500 contribution in the past was given through the Weed and Seed Funding, and not through any direct City funding source. He explained they were no longer a Weed and Seed entity, and do not receive any funding. Commissioner Moore reiterated that many adults volunteered their time to this program, but what he found disappointing was that even though this was in the City's northwest community, which was the lowest income earners in the area, they attempted to place their children in this program and children were never turned away. He believed these volunteers saved huge amounts of money for the City, and presently they did not have sufficient equipment for these children nor buses to transport them to various events.

LaRhonda Ware, Cheerleading Coach, stated there were approximately 300 girls in the A and B cheerleading teams and urged everyone to come and see the children play and support these teams.

Doloris Wilcher stated that she wanted to make some comments regarding the water rates in the City. She stated that she lived at 1127 N.W. 1 Avenue and received her home through Habitat, but the water bills were increasing. She remarked that she had been paying \$150, and now the bills were reduced to \$60 but increases were constant and she would like some answers on this matter.

Latrisha Greaves stated that she lived at 1131 N.W. 1 Avenue and had spoken with Commissioner Smith regarding rate increases. She felt the rates were too high and caused people to become arrears in their daily bills. Ms. Greaves stated that the rates needed to be re-evaluated because she had compared them with other areas and Fort Lauderdale's rate were much higher.

Commissioner Moore left the meeting at approximately 8:13 p.m. and returned at 8:15 p.m.

Mayor Naugle asked if anyone from the Water Department was present to address this problem.

Commissioner Smith stated that Latrisha Greaves had some specific issues he would like for someone to check into. He stated that he had spoken to staff in an attempt to get Ms. Greaves an irrigation meter at her property.

Mayor Naugle remarked that a big portion of the bill went for trash collection.

Commissioner Smith stated that he wanted the City to look at her bill and see why it had suddenly dropped from \$150 to \$60. Ms. Greaves suggested that the City also look at the contract workers who were reading the meters.

Commissioner Moore stated that he felt the Habitat homes should automatically have irrigation meters. He also stated that he had some concerns about how the meters were read.

Greg Kisela, Assistant City Manager, stated that they used to compare the City's rates with other cities in the Tri-County area, but had not done so for a few years. Regarding water and sewage, he stated they were not the cheapest, nor the most expensive. He felt they were competitive in the market. He stated that on the surface the irrigation meters appeared cheaper because of not paying for the sewer service, but a lot depended on the amount of consumption because there was a minimum charge for the meter.

Mayor Naugle suggested they talk to Habitat in using more of a xeriscape.

Commissioner Smith stated that he disagreed with Mr. Kisela and asked him to research the matter further.

Roosevelt Walters stated that he felt a decision had to be made regarding funding the needs of children. He believed that if the children were not guided, they would fall into the hands of people who would lead them astray. He urged the Commission to support programs for the children.

Marsha Goldsby, President of Lauderdale Manors Homeowners Association and Community Services Board Member, stated that she realized the City received many unfavorable comments due to the level of service that was provided to some of the communities. She felt this was related to vacant positions and skeleton crews attempting to meet the needs of the City. She was surprised that issues raised in 1995 in the Fort Lauderdale - New City were some of the same issues raised now in the CAP Area 1 process. She felt things were not being addressed in a timely manner, and since the City was growing and the tax base was increasing, as well as the tax increment funding and two CRAs within the City limits, she believed funds should be generated to staff departments sufficiently to provide all services to all City residents. She asked the Commission and the City Manager to assure that the budget addressed staffing in all departments. She also asked that they direct the Neighborhood Services Department not to proceed with their proposal to assess City residents for City services and projects that were supposed to be paid with tax dollars and/or Federal funding.

Commissioner Moore stated that he was concerned about staff's recommendation to assess for funding of staffing levels in the CAP recommendation and asked for a further clarification.

Ms. Goldsby stated there was a draft proposal from the Neighborhood Services Department that indicated requests the Community made apparent during the CAP process, and they had indicated that nine new officers were requested by the community and that the community should be assessed.

Annie Jones, resident of 1158 N.W. 9 Terrace, stated that the City funded a human services/ family resource center and one of the programs was the child care assistance program. She stated that program was used as a catalyst to direct some of the less fortunate into other programs. The funding permitted them to function in the City and along the Sistrunk corridor. She stated they had other programs which

ran through the Center, such as the Neighborhood Partnership Program, a Family Builders Program, and were looking to fund an After School Program. She understood that Social Services was being targeted for a decrease.

Mayor Naugle explained that since the Childrens' Services Tax was now going to raise approximately \$7 Million from the City, this would be a good source. He asked Ms. Jones if she was receiving money from that tax. Ms. Jones replied she was not aware of it. Mayor Naugle replied they would get her in touch with the necessary people so she could obtain information.

Commissioner Smith stated that the program Ms. Jones mentioned was the Federal entitlement money which supported all the efforts she mentioned. The money they decided not to appropriate was \$290,000 which was for promotional monies, social and cultural monies. If there was a good cause, a case could be made to the Commission for the necessary monies. He further stated that the programs Ms. Jones mentioned were funded programs.

The City Manager thanked Ms. Jones, but the programs mentioned were supported by the City at Mt. Bethel and the Commission did not indicate they desired to terminate that support and was ongoing.

Bill McCormick, President of the Fort Lauderdale NAACP, reiterated that they needed the same consideration given to the children that was spent on landscaping and other issues. He asked the Commission if they thought it would be cumbersome to have individual organizations come and present their cases and what criteria would have to be met.

Commissioner Smith stated he did not find that cumbersome and felt that was an appropriate way to conduct the process.

Commissioner Moore left the meeting at approximately 8:48 p.m. and returned at 8:50 p.m.

Mayor Naugle stated that this discussion arose due to a funding classification targeted by the Commission for children, and when the Children's Services Tax was enacted it was to provide millions of dollars and in the past only thousands were provided. He explained that he was very cautious with the taxpayers' funds and some property owners barely had money available to pay their bills, and he sometimes was uncomfortable asking people to contribute to charities. He felt if the City ran things efficiently, they could leave money in the taxpayers' pockets and they would then be able to make contributions on their own behalf.

Commissioner Moore stated that he understood the Mayor's concerns and did not differ with the facts of his beliefs, but what he differed with was the fact that the Children's Services Board was made up with political appointments, and that they were not selected by the voters. The monies received had no conditions placed upon them as to how they were to be distributed. Commissioner Moore further stated even if they had stopped funding children's programs because of the entity, he hoped they could guarantee that those entities no longer being funded, would be funded by that council, but this was not the case. He believed that some entities received funding due to their relationships with the people who made the decisions and he was very concerned about that matter. He believed they were making a big mistake.

Mr. McCormick stated that if the Commission decided to reduce the funds to cover the social, cultural and promotional funding, it should be taken to the voters permitting them to have the ability to decide for or against funding certain programs.

Commissioner Smith asked what amount of money had been appropriated for the social portion last year. Terry Sharp replied it had been \$209,000.

Clinton Jones, of 1117 N.W. 5 Street, stated that he and Mr. Alexander had broken down some figures

relating to what would be needed to fund the football program, and that amount was \$300 for each boy, and \$100 per girl. They did not have enough equipment at this time and children did not get the chance to play sometimes due to that fact.

Mayor Naugle stated that he would support a contribution for this program, and possibly businesses could be asked to be sponsors for the teams. Clinton Jones remarked that he was soliciting for sponsorships at this time. He stated that anyone interested in making a donation could contact him at: 954-760-6267.

Mayor Naugle asked how much had to be contributed in order to name a team. Mr. Jones replied that they had different levels of sponsorship available.

Barbara Ericksen, Member of the Colee Hammock Civic Association and the Community Appearance Board, stated that she was speaking tonight on behalf of Kids Voting. This year the City had donated \$4,413 and it had been wisely invested and utilized to help the students in the City. She explained that she was present tonight to ask for funding for the coming year. She also stated that they had multi-language literature available and Commissioner Smith asked if the literature was available in the Creole language. Ms. Ericksen replied they were presently working on this locally.

Commissioner Moore asked if they sought funding through the Children's Services. Ms. Ericksen remarked that they did not qualify for that program. She explained they were contracts for specific services, such as drug abuse prevention, and child care, but were not for teaching children about voting. Commissioner Moore asked if the School Board funded their program. Ms. Ericksen replied it was an in-kind donation wherein equipment was funded by the Board, but not actual cash. She explained that solicitations were made to other cities, and it was crucial to have the City of Fort Lauderdale's support because they were questioned if funding was received from that entity.

Commissioner Hutchinson remarked that according to the budget \$2500 was approved for this organization which was through the Agency on Aging and Kids Voting. Ms. Ericksen thanked the Board.

Walter Mickey Hinton, President of Durrs Homeowners' Association, stated that he served on the Budget Advisory Board and wanted to state that there was a new group of people in Lincoln Park who were training to be boxers. They received educational skills also and girls were involved in double rope games. He proceeded to introduce Steve Palazzo who was the Coach at the park.

Steve Palazzo, Coach at Lincoln Park, stated that when he discovered they were getting cut from the program funding, he was upset because the kids had no other place to go. The group was moved from Carter Park and Lincoln Park had to be cleaned up, but it still did not have clean running water or restrooms. The place had been used for storage and a large clean-up program of volunteers attempted to put it in some semblance of order. Mr. Palazzo requested a better facility for the program.

Commissioner Smith asked what could be done to get running water at that facility.

Greg Kisela, Assistant City Manager, stated that everyone should be out of Lincoln Park due to the demolition and did not want to invest money in partial restoration, but they would investigate the matter.

Commissioner Moore stated that he had been informed that this program was no longer funded and it had been told to cease as of two weeks ago. Mr. Hinton replied it had ceased. Commissioner Smith asked who had supplied their funding previously. Mr. Hinton replied it had come from the City of Fort Lauderdale.

Commissioner Moore replied it had been funded through a grant program in the Broward Commission on Substance Abuse with matching funds from the Police Department.

Chief Bruce Roberts, Police Department, stated that the money would be available as of October 1st, but

temporarily they had been over-spent in that budget so the program was temporarily suspended. He stated that the location was difficult and they were not sure where it would be located.

Bob Cooke, Grants Coordinator, stated that JAM (Juvenile Alternative Motivation Program) was not just for boxing and was a co-ed program with three components. Those components were education, fine arts, and boxing was one of the elements under the sports program, which included soccer and other seasonal sports. On October 1st the program would begin once again, but they were still looking for a new location.

Mayor Naugle suggested that possibly the group could be moved to the Boys & Girls Club or the YMCA.

Mr. Hinton emphasized that the children could not be moved too far due to transportation problems.

Mayor Naugle suggested LA Lee which was close by and felt that possibility could be explored further.

Mr. Hinton agreed that was a possibility. He mentioned that it was terrible what was going on in the Juvenile Court System.

Commissioner Moore stated that he appreciated the JAM Program and felt they needed to find a new location for this group. He hoped that funding could be supplied to JAM so the programs could be continued.

Mayor Naugle requested staff work on finding a new location for the program.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Commissioner Smith stated that he wanted to thank the City Manager for reducing the taxes and meeting the goals for the Office of Professional Standards (OPS) office. The City Manager stated they had hired Director Stephen Scott and hoped that within the next quarter of the new year that the positions would be filled.

Commissioner Smith stated there was discussion about merit increase and he felt very strongly about this matter. He suggested that the top management personnel numbering 36 people have their increases funded through a merit increase program and take the amount of money recommended for automatic raises, and allow it to be in the budget. They would receive the increase only if they earned it. He felt this would motivate people and help clear the "dead weight." He was not in favor of the automatic increases.

Commissioner Smith stated that there were issues connected with the fire boat that would be discussed further by Commissioner Hutchinson. He asked if a demonstration could be given to the Commission of the boat before the next budget hearing on September 17th.

Deputy Chief Keith Allen, Fire-Rescue, stated they did not have a specific boat in mind for the \$250,000 and that was only a threshold being set. He confirmed that they could demonstrate the existing boat for the Commissioners. Commissioner Smith reiterated that the Department had many legitimate needs that should be reviewed. Chief Allen stated that there was a recommendation that they go for grant funding for half the amount. Commissioner Smith had no objections to proceeding with the grant funding.

Mayor Naugle suggested that a time be set so all the Commissioners could go together and see the existing boat.

Commissioner Smith stated that there had been a lot of discussion regarding the Building Code Officers. He explained they presently had four, but there were two vacancies at this time. He stated that he was

not happy with the role they were playing in the community, and opposed this. He explained that he wanted the two positions filled, but he wanted them to take care of the 17 items referred to this evening, including slum properties. He felt these officers were trained to cite people who did not obtain permits for inconsequential matters, and felt they should be used for more important things.

Commissioner Smith proceeded to discuss the carry-forward money. He stated the money was denied last year and he felt that worked well. He believed that instead of carrying forward any of last year's budget, the money be budgeted towards the transit effort so it could be used for Federal matching. He proceeded to ask that he be provided with how much money was being pledged to the transit effort, so they should add this carry-forward money to it.

Lastly, Commissioner Smith moved that they fund the West Lauderdale Football teams in the amount of \$10,000 and also fund the Winterfest Boat Parade for \$10,000 also.

Commissioner Moore stated that he differed with Commissioner Moore regarding the carry-forward funds. If monies were to be reappropriated, he did not feel they should be applied to mass transit, but felt that Broward County should take this upon themselves. He stated that there may be some opportunity to address some of the issues regarding Fire-Rescue because some of the facilities were in poor condition. He stated that he kept hearing that they should not bond issues and should do a "pay as you go" concept. He stated that a number of facilities were eroding and needed to be taken care of.

Commissioner Moore further stated that the number one issue in his district was the lack of satisfaction with Code Enforcement to the point that the district had a committee formed in order to review the present Code and make recommendations as to how the community felt improvements could be made in those services. He explained that Code Enforcement had to deal with structural issues, but the visual issues were what concerned the communities.

Commissioner Moore remarked that piles of trash sat day after day and he felt if people were not doing their jobs, then they should be released of their responsibilities and people hired who would do the necessary work.

Commissioner Moore stated that most individuals felt they only had to show up to work in order to receive an increase, and he was in support of a merit increase. He believed there were too many vacancies in the Police Department, but yet the budget was being increased. He believed that crime and public safety was the number one issue in the City, but yet there were open positions and no motivation for filling them. He suggested that for each month the positions were not filled, money would be taken away from the department because obviously they did not need the people. He further stated that the neighborhoods were not satisfied with the response time from the Police Department.

Commissioner Moore stated that Parks and Recreation funding was very important to him and he still felt they needed to support the non-profit entities that sponsored programs in the afternoon.

Commissioner Moore stated that he urged the Commission to make comparisons regarding the water rate increases throughout the County. He asked that there be a break down showing the amounts for water, sewer, and trash.

Commissioner Moore also stated that he wanted to deal with the matter of the annexation. He was proud of what this City had done and felt it was important that the new areas not regret the annexation, but he did not want the standard of service being given to the present taxpayers decrease due to the fact that services would be offered to the annexed communities. He believed that there should be monies allocated in the budget to address this issue because he did not feel they had any contingency for the impact it would have when the boundaries were opened, and did not want the level of service to decrease.

Commissioner Katz stated that she did not agree with Commissioner Moore's position regarding the Police Department. She felt they were making every effort to fill the positions and this was a problem all across the country. She further stated that they could not take money away from the department and it would not be an incentive for them.

Commissioner Katz further stated that Commissioners Moore and Smith made interesting arguments regarding merit increases, but wondered if possibly the whole structure should be changed in order to aid in the temporary problem regarding health benefits. She stated that she was concerned if merit increases were done, there would be repercussions and groups would consider unionization. She felt they needed to research this matter more carefully. She felt they could not make an across the board decision.

Commissioner Katz also remarked that the fire boat was the 24th priority, and she believed a lot of things in the City could use the FIND Grant because even if the Fire Department got this grant, the City would still have to pay 50%. She felt they should possibly review the issues and have them prioritized again.

Commissioner Katz stated that she did not want to fill the positions at Code Enforcement at the expense of the Building Department.

Commissioner Smith remarked that Code Enforcement did not perform Building Department functions, but were a crew that declared unsafe structures. When they were not doing such work, their job was to find where jobs had been done without permits. He received a lot of complaints from the people in the community.

Commissioner Smith stated the examples given were outlandish situations but did not happen on a reoccurring basis because there was not enough time for such things.

Mayor Naugle stated that they needed to take care of the overflowing dumpsters.

Commissioner Moore stated that if it was on the books, it was the law.

Commissioner Moore stated that regarding the merit increase, he suggested they do it for the 31 employees who were not permitted to unionize by State law. He understood the other comments made and agreed with them.

Commissioner Katz stated that she did not want to jeopardize the Building Inspectors. She asked since money was being handed out for social funding to some degree, would there be money available if someone came and presented an application later in the year.

The City Manager explained that there were no provisions at this point earmarked for funding at this point. If the Commission during the course of the year wanted to fund an organization, the monies would have to come from the General Fund Contingencies.

Commissioner Katz stated she agreed with the donation to Winterfest of \$10,000, and would not challenge the West Lauderdale Football Club, but felt they needed to be careful who the organizations were, how they handled their money, and who was in charge so that the monies would be spent for the right things. She believed there needed to be some sort of accountability.

Commissioner Katz proceeded to state that one of the parks in her district that was going through refurbishing and might come up short this year was Bayview Park, and asked how they could receive monies. Mayor Naugle replied this was something that would be approved in the CIP.

Commissioner Hutchinson stated that earlier this evening under the Consent Agenda N.E. 18th Avenue was listed as a high priority, along with N.E. 15th Avenue, to finish those projects. Yet, she stated that a major discussion was held regarding a 12-year old fire boat that needed replacing. Contributions were

made to football teams and the Winterfest Parade, but issues regarding necessities for the Fire-Rescue Department were debated. She emphasized that there were deplorable conditions in many of the Fire Departments. Commissioner Hutchinson reiterated that reserve equipment was being used that possibly should not be on the streets. She also stated that while firemen were on their way to the scene of a fire recently, their truck broke down and they had to proceed on foot. Equipment needed to be replaced. Commissioner Hutchinson felt that they were not taking advantage of grant opportunities out there and some of the problem arose from inexperienced people working on the applications. She felt they needed help in that area. Commissioner Hutchinson stated that she wanted a workshop set up in November to discuss grant applications and a plan was needed from the departments regarding replacement equipment. She realized this could not go on the present budget, but she was very adamant about a grant writer for the Fire Department.

Mayor Naugle stated that recently some equipment had been replaced. Commissioner Hutchinson reiterated that she was referring to replacement of reserve equipment. Mayor Naugle also stated that they had a fleet plan and had some of the best equipment available.

Mayor Naugle remarked that he agreed about the fire stations and he was also concerned about the police department, and they could research on how these matters could be addressed. Commissioner Hutchinson stated that she wanted to see the plan. Commissioner Hutchinson reiterated they had top notch working equipment, but they also had trucks that needed repair and wanted to see the plan regarding replacement.

Commissioner Smith stated that they had agreed to have a Public Safety Summit in October. Commissioner Hutchinson stated they wanted a separate one for the Fire-Rescue Department.

The City Manager stated that the departments should be equal in having their own discussions due to their size and necessities. He explained that they would be held separately over a two-month period of time.

Commissioner Moore left the meeting at approximately 9:54 p.m.

Commissioner Katz stated that she asked a while back to sit down and discuss strategic planning. Matters needed to be prioritized. Mayor Naugle remarked this would be done October 22, 2002.

Commissioner Smith stated that he understood the concerns about the police positions and they needed to fill the jobs, but this should not be done at the expense of taking monies away from the department. A reward program should be developed if the Chiefs filled all vacancies.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to not approve the two new Code Officers for that category, but allow them to be put in the trash pile, junk car, junk house category. Roll call showed: YEAS: Commissioners Hutchinson, Smith, and Mayor Naugle. NAYS: Commissioner Katz.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the purchase of the fire boat and continue with the grant application.

Mayor Naugle asked if one-half of the money for the fire boat was already in the budget.

Terry Sharp explained that when they were made aware of the outcome of the FIND grant they would go out for bid, and then recommend the money be taken out of the Contingencies at that time.

Commissioner Moore returned to the meeting at 10:02 p.m.

Commissioner Katz reiterated that this was 24th on their list and she proceeded to ask why this was not

included in their budget. Commissioner Smith reiterated they were not spending money at this time, but were just pursuing the grant application.

Roll call on the motion showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: Commissioner Katz.

Motion made by Commissioner Smith that they replace the automatic increases for the 36 personnel who are unable to unionize with a merit policy to be given at the Manager's discretion.

Commissioner Moore stated that he wanted to amend the Motion to have this done throughout the system and not just at the management level.

Mayor Naugle explained there was a pay plan that was codified by ordinance and asked the City Manager how they could accomplish what Commissioner Smith was proposing.

The City Manager confirmed that Commissioner Smith's proposal could be done because it affected those persons not subject to collective bargaining or civil service. However, Commissioner Moore's suggestion that this be done system-wide would be the subject of collective bargaining with the bargaining units and would constitute the majority of employees wherein they negotiate for what would be the periodic cost of living increases for the year.

Commissioner Smith stated he did not disagree with Commissioner Moore, but felt they could do it with the 36 employees and start there. Commissioner Moore stated that he understood it involved collective bargaining, but thought that no one should feel they deserved automatic increases. He reiterated that customer satisfaction was down and he did not know how to improve it. He suggested they consider some type of methodology for addressing the merit increases.

The City Manager stated this was the subject of collective bargaining and he felt this would constitute an overhaul of an entire system replete with understood and agreed upon methods of evaluation and reporting and making sure everyone was trained to do it on a fair basis, you would be talking about an increase in the salary benefit structure, particularly if it was to be an effective system. He wanted the opportunity to explore this matter further. He also stated that this might have to be phased in so as not to violate the senior individuals in the system.

Commissioner Hutchinson asked how this would affect the management category underneath the 36 employees. The City Manager stated that she was treading on a subject matter that was causing him considerable concern. He explained they were actually talking about compression. If they could go to a merit system that would be fairly implemented, they would have the same result as that seen done by the bargaining units in getting sizeable increases over the life of their contract. This would bump up against management who would not get the same degree of increase. The situation could be exacerbated depending on the amount of leeway given, but a good merit system could be done.

Commissioner Smith stated that his motion was misunderstood because he wanted to supplement the increase being suggested with the same amount of money, but they had to earn it. There would be no compression if all 36 employees did their appropriate jobs.

Commissioner Hutchinson seconded the motion, but asked the City Manager if he would bring back additional information relating to this issue on September 17th. The City Manager stated that he would bring something back, but nothing was said that would change the budgeted amount and were only discussing the manner in which it would be applied. Commissioner Smith confirmed.

Roll call showed: YEAS: Commissioners Hutchinson, Smith, Mayor Naugle. NAYS: Commissioners Moore and Katz.

Motion made by Commissioner Smith that they do not carry forward last year's unspent money. Motion died for lack of a second.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve the contribution of \$10,000 to the West Lauderdale Football Team. Commissioner Moore stated that he was not sure if that amount was sufficient because of the vehicles involved. He asked if this could be discussed at the next meeting so the individuals running the program could supply the Commission with numbers. He stated that he supported the funding, but wanted to know the exact figures.

Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve the contribution of \$10,000 to Winterfest, Inc. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, Mayor Naugle. NAYS: None.

Mayor Naugle announced that the proposed millage rates for all general city purposes exclusive of Debt Service would be 4.8472, which represented a 9.86% increase in the millage over the roll-back rate of 4.4120 mills, which by State Statute was characterized as a 9.86% increase in property taxes. Proposed millage rate for the Debt Service for the combined 1987/1992/1998 Regional Obligation Refunding Bond was .2388 which represents an 8.01% decrease in the roll-back rate of .2596. The proposed millage rate for the Debt Service for the 1997 General Obligation Bond was .1825 which represents a 3.9% decrease in the millage rate under the roll-back rate of .1899.

Commissioner Moore introduced the following resolution to establish the proposed millage rates as follows:

RESOLUTION NO. 02-135

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE PROPOSED TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002 AND ENDING SEPTEMBER 30, 2003.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following resolution to approve the tentative budget for Fiscal Year 2002/2003 as amended:

RESOLUTION NO. 02-136

A RESOLUTION ADOPTING THE TENTATIVE BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002, AND ENDING SEPTEMBER 30, 2003.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following ordinance on first reading:

ORDINANCE NO. C-02-22

AN ORDINANCE ADOPTING THE APPROVED BUDGET OF THE
CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR
BEGINNING OCTOBER 1, 2002, AND ENDING SEPTEMBER 30, 2003.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, Mayor Naugle. NAYS: None.

Mayor Naugle announced that the final hearing to adopt the millage rates and the budget would be held at 6:00 p.m. on September 17, 2002, in the City Commission Meeting Room, City Hall, 100 N. Andrews Avenue, Fort Lauderdale, Florida.

**Fiscal year 2002/2003 Sunrise Key Neighborhood Improvement
District**

(PH-2)

The first public hearing on the tentative budget of the Sunrise Key Neighborhood Improvement district for the fiscal year beginning October 1, 2002 and ending September 30, 2003.

Mayor Naugle stated that the purpose of the hearing was to receive requests and comments regarding the Sunrise Neighborhood Improvement District's budget and tax levies and explain the budget and levies thereto. The public hearing was now opened. The Budget Office would now present their millage rate previously certified by the Property Appraiser on which the proposed taxes would appear on the tax millage receipt by property owners in Sunrise Key Neighborhood District and their reason for the proposed increase in millage rate.

Terry Sharp, Assistant Finance Director, stated that this district was a special district and they were proposing a millage rate of 1.5 mills and approximately \$45,000 would be used for security services and improvements.

Motion made by Commissioner Moor and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Mayor Naugle announced that the proposed millage rate for all Sunrise Key Neighborhood Improvement District purposes would be 1.5 mills and if no changes were made, this represented an increase of 8.12% under the roll-back rate of 1.3874 mills which by State Statute was characterized by an 8.12% increase in property taxes.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to establish the proposed millage rate as 1.5000. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve the tentative budget for the Sunrise Key Neighborhood Improvement District for FY 2002/2003. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Mayor Naugle stated that there were people in the area wearing blue uniforms that were here to address Item R-10.

The Commission agreed to take the matter up now.

**Consent and Authorization - Rahn Bahia Mar, Ltd. -
Reconfiguration and Reconstruction of Bahia Mar Docks and Marina**

(R-10)

A resolution approving the reconfiguration and reconstruction of the Bahia Mar Docks and Marina as provided in the lease agreement with Rahn Bahia Mar, Ltd. (Also see Item R-9 on this Agenda).

Commissioner Smith introduced Item R-10.

RESOLUTION NO. 02-150

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA PURSUANT TO ARTICLE 24.0 OF THAT CERTAIN LEASE AGREEMENT BETWEEN THE CITY, AS LESSOR, AND RAHN BAHIA MAR, LTD., A FLORIDA LIMITED PARTNERSHIP, AS LESSEE, RESPECTING THE LEASED PREMISES COMMONLY KNOWN AS BAHIA MAR, GRANTING CONSENT TO ALTERATIONS, CHANGES OR ADDITIONS TO IMPROVEMENTS WITHIN THE LEASED PREMISES FOR THE DEMOLITION, RECONSTRUCTION AND RECONFIGURATION OF DOCKS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, Mayor Naugle. NAYS: None.

Mayor Naugle thanked the Coast Guard Auxiliary for their work and stated that their work was more important than ever since the attacks of September 11th and they appreciated all the work done for the community.

Commissioner Katz requested the Commission to move forward and address the redistricting matters. Commissioner Hutchinson reiterated that the people who were present for the lien settlements had been at the meeting for a long time also.

City Commission District Boundaries

(PH-5)

A public hearing to consider an ordinance establishing, pursuant to Section 7.12 of the City Charter, geographical boundaries of the four City Commission districts so that such districts shall be as approximately equal in population as practicable. Notice of public hearing was published August 23, 2002.

Paul Costanzo stated that Commission at their July 22, 2002 special meeting directed staff to prepare draft Plans 1.1, 1.2 and a legally defensible variation of Plan 1.3 which Commissioner Smith offered at the meeting. Tonight they would review four plans because while they were revisiting Plan 1.3, they realized there were two legally defensible variations for that plan. Therefore, tonight Plans 1.1, 1.2, 1.3, 1.3A and 1.3B would be presented.

Kurt Spitzer, Consultant, stated that all the plans were variations of Plan 1.

Commissioner Smith stated that he personally liked Plan 1.3A because he felt City View needed to be in one district and would support this plan.

Commissioner Moore stated that he disagreed with Commissioner Smith and stated that City View was built by the residents of the City of Fort Lauderdale who advocated its opportunity to be affordable housing and it was a success. He had been told by many residents in District III that they felt this was

one project that had been proposed and been successful, and now that it had success it wanted to eliminate itself from the district. Most residents felt their property values had increased since the development and did not cause any hardship. He continued stating that it concerned him for a resident to say that he didn't care to be there.

Commissioner Smith reiterated that it was presently split in half. Commissioner Moore agreed that it should be in one district and should remain in the one that built it, which was District III. He asked for a map to be shown of the existing districts. He further explained that the area between Sunrise, Sistrunk Boulevard, 9th Avenue and the FEC RR was presently in the district. The modifications that were being recommended removed the area from District III.

Commissioner Moore stated that the residents wanted to see the boundary line moved further east to 6th Avenue, and if it was moved there would be 148 individuals included in the District. Driving through the area, he saw there were 17 apartment buildings with four units in each building and a property on 5th Avenue that was a residential unit sandwiched between several industrial properties. Commissioner Smith stated that he did not have a problem with that.

Commissioner Hutchinson left the meeting at approximately 10:27 p.m. and returned at 10:32 p.m.

Mayor Naugle asked what would that do as far as the differential because District III was getting quite large.

Paul Costanzo stated that it depended what plan you were operating from, and they needed to be clear what the eastern boundary of the addition would be. It was his understanding that it involved 7th Avenue, as opposed to 6th Avenue. Commissioner Smith remarked that 6th Avenue was being suggested. Paul Costanzo stated that he was not sure if 6th Avenue would work. Commissioner Moore stated that 6th Avenue would work and that there was no residential property in the area.

Paul Costanzo clarified that they would follow 6th Avenue north to Sunrise Boulevard. Commissioner Moore remarked that it would be 6th Avenue to the east, rather than the FEC Railroad.

Paul Costanzo stated that staff and Mr. Spitzer revisited numbers from the Census in attempting to make this work. He proceeded to show a map of the area suggested by Commissioner Moore. Paul Costanzo further stated that a problem arose at the corner of Sunrise and 6th Avenue where there were 131 additional people. Commissioner Moore stated they would have to cut those people out and stop at 9th Street and go up 7th Avenue to Sunrise.

Paul Costanzo further explained that with that configuration they could make Plan 1.2 work. He stated that Plan 1.3A or B would put them over the deviation maximum of 10%. He explained there was a variation of Plan 1.3A. He stated that by making that change in the Sistrunk/Sunrise Boulevard area, and making a slight two block adjustment in River Run utilizing southwest 28th as the district boundary between III and IV, they could then make Plan 1.3A legally defensible.

Commissioner Moore asked for a clarification on how they were dealing with the variation number.

Mayor Naugle asked for any individuals wishing to speak on this item to come forward.

Roosevelt Walters, resident of 1509 N.W. 4th Street, stated that he was concerned about the area bounded by 6th Avenue from Sunrise Boulevard to Sistrunk Boulevard and over to 9th Avenue. In looking at the numbers using Plan 1.2, they would still be in the tolerance range. He felt they should go with 7th Avenue to 9th Street, and 9th Street to 6th Avenue to Sistrunk Boulevard.

William McCormick, President of the NAACP, stated the Commission was willing to work out whatever differences were necessary to make corrections to Plan 1.2 to make the deviations legally defensible, and

John McConaha, 381 City View Drive, stated that he served on the Board of Directors and that City View Townhome Association was a unique community of 12 acres with a parklike atmosphere only two blocks from City Hall with diverse ownership. He further stated that they had spoken with 75 owners and 72 preferred to be in District II. They felt the appropriate plans were either 1.1 or 1.3A.

Commissioner Smith stated that whether one was in District III or II, they were still in City View which was in walking distance to the Riverfront, and they still were in downtown Fort Lauderdale, and the area was still continuing to appreciate in its value.

Christine Teel, President of Sunrise Intracoastal Homeowners' Association, stated that they had always been in District I, but Plan 1.2 removed them and put them into District II. A special board meeting was held in August and they urged the Commission to keep them in District I. She further stated that this could be accomplished with all the plans, except for Plan 1.2. She stated that the N.E. Alliance Homeowners' Association voted unanimously to stay in District I. She believed that Plans 1.3A and 1.3 B would be an appropriate selection.

Commissioner Moore stated that the only district that was not having any change according to the maps was District I. All other districts were being modified.

Mayor Naugle remarked they did have a change since the last time the districts were changed because there was the annexation of Palm Aire Village. Commissioner Moore stated that was due to the annexation and not due to reapportionment.

Elizabeth Hayes, Secretary of the River Run Civic Association, stated that she was surprised by the turn of events. She stated they were currently in Districts III and IV. She stated they agreed to go into District IV. They had no objections to being split, but if they would be split the way they were now.

Commissioner Smith asked if they would be adverse to splitting this neighborhood if it passed on the first reading, and could she go back and consult with everyone and report at the next reading. Ms. Hayes stated they were fine with the split and felt there was an advantage in having two Commissioners, but where the split would take place could be a deciding factor.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, Mayor Naugle. NAYS: None.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to move Plan 1.3A as modified taking Commissioner Moore's suggestions into account and splitting River Run, and have them discuss it and return at the next reading and state their recommendations.

Commissioner Moore stated that this did not address the issue regarding City View. Plan 1.3 removed City View from the District. Commissioner Smith stated if it was included then one could not have the remainder of 9th Avenue. Commissioner Moore replied one could if they used Plan 1.2. Commissioners Smith and Hutchinson stated they would not support Plan 1.2.

Commissioner Moore stated that in looking at the map of existing districts, what would the deviation be if they only put the two annexed areas into District III and Riverland in District IV.

Kurt Spitzer stated they had never considered such a deviation, but it was significantly off. Commissioner Moore asked if it was off the Commission's goal for deviation or the Federal guidelines. He felt this should be considered. Kurt Spitzer remarked it was off according to the Commission's goal. He continued stating that he would have to revisit the numbers but felt it would be off the Federal guidelines.

Motion made by Commissioner Moore that the Melrose Park annexed area be put in District III and

Commissioner Smith stated that would put his district even further under the numbers.

Commissioner Moore stated that he was attempting to find a reasonable way in addressing this problem. He hoped the Commission understood what the community did by creating City View. He stated that the fact of the matter was that anytime they dealt with matters the railroad tracks became the dividing line. He further stated that they had crossed the tracks and developed City View, a hospital, post office, a connection to the economic development with a connector of 7th Avenue and 9th Avenue. As soon as something positive came along, individuals who benefited from this wanted out of the black neighborhood.

Mayor Naugle stated that the residents wanted to be in District II.

Commissioner Moore stated that he had met with residents while developing that site, and they didn't have those sentiments. He stated there was no evidence that 75 people were asked their opinions.

Mayor Naugle stated there were signed petitions from owners stating their preference.

Commissioner Smith disagreed. He stated that his theory was that City View got their act together and property values were rising, so they could be one of the best areas in District III or they could be one of the worst areas in District II. He stated this was a diverse community and this had nothing to do with race. He felt it had to do with what Commissioner could best serve them. He realized people had been through a lot in the Northwest, but race had nothing to do with this issue.

Commissioner Moore stated they should look at the history of the area and how the property values increased. He stated that he also did what was best for the rest of the area, including Regal Trace. He stated that from his record in the past there was nothing but advocacy for City View, and therefore, it had to deal with race and he felt it should not be race.

Mayor Naugle asked the consultant to provide the census data for City View for the second reading.

Motion and second was withdrawn.

Commissioner Hutchinson stated that she was not willing to support Plan 1.2 which took Sunrise Intracoastal out of District 1. Commissioner Smith agreed.

Commissioner Moore clarified that they did not feel it had any validity due to the reapportionment process that each district should be impacted in some degree. Mayor Naugle reiterated that District I was affected by the annexation. Commissioner Moore reiterated that he was referring to reapportionment.

Mayor Naugle remarked that there was no support for Plan 1.2.

Kurt Spitzer stated that if you were to add Melrose to District III and Riverland to District IV and keep the balance of the shape of District III as it currently existed, and every other district remaining the same, the deviation under that plan would be well over 17%.

Commissioner Moore asked if you took Plan 1.2 and returned Sunrise Intracoastal, what would the deviation be. Mr. Spitzer stated he would have to recalculate, but they would be similar to Plan 1.3B, except in the River Run area. Commissioner Smith reiterated they would still be putting into District II the area Commissioner Moore was fighting to keep in along 7th Avenue. Mr. Spitzer remarked that was an entirely different issue. Commissioner Moore asked if Plan 1.3B stayed as it was and you placed the 6th Avenue extension to District III to N.W. 9th Street, back to 7th Avenue and up to Sunrise, and took the present configuration of River Run moving the line to where it presently existed, what would happen then. Mr. Spitzer stated they could figure this out. Commissioner Moore replied it would not work unless he took the Homeless Shelter.

While waiting for an answer from the consultant, Mayor Naugle, with the City Attorney's approval, proceeded with the agenda.

Mayor Naugle stated that when they did Item R-10, they missed Item R-9.

**Site Plan IV Approval/SBMHA - Reconfiguration of Docks at
Bahia Mar - City of Fort Lauderdale/Rahn Bahia Mar, Ltd. (PZ
Case No. 81-R-02)**

(R-9)

At the July 17, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 6-0 that the following application be approved. (Also see Item R-10 on this Agenda)

Applicant: City of Fort Lauderdale/Rahn Bahia Mar, Ltd.
Request: Site Plan approval/SBMHA
Location: 801 Seabreeze Boulevard

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 02-149

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A DEVELOPMENT PERMIT FOR THE RECONSTRUCTION AND RECONFIGURATION OF MARINA DOCKS AT THE BAHIA MAR RESORT ON PROPERTY LOCATED AT 801 SEABREEZE BOULEVARD IN FORT LAUDERDALE, FLORIDA IN AN SBMHA ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

**Amend section 10-26 – Declare Woodlawn Cemetery Part of
the Municipal Cemetery System**

(O-1)

An ordinance amending section 10-26 of the Code of Ordinances to declare Woodlawn Cemetery a part of the Municipal Cemetery System. Ordinance No. C-02-21 was published on July 6, 2002, and approved on first reading July 16, 2002 by a vote of 5-0.

Commissioner Smith introduced the following ordinance on second reading:

ORDINANCE NO. C-02-21

AN ORDINANCE AMENDING CHAPTER 10, "CEMETERIES," OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO AMEND SECTION 10-1 PROHIBITING INTERMENTS AND DISINTERMENTS AT WOODLAWN CEMETERY; AMENDING SECTION 10-26, DECLARING WOODLAWN CEMETERY AS A PART OF THE MUNICIPAL CEMETERY SYSTEM; AND AMENDING SECTION 10-60, PROVIDING SPECIFICATIONS FOR MONUMENTS AND FOUNDATIONS AT WOODLAWN CEMETERY.

Mayor Naugle asked Mr. Koenig if he was in agreement with this item.

Robert Koenig asked for the definition of the word "declaration." He also asked if they were buying Woodlawn.

Julius Delisio, Parks and Recreation, stated that Woodlawn was taken over by the City in April, 2002, and \$250,000 was given by the contractor who was making the current improvements. He continued stating that they did not need a grant.

Commissioner Moore explained that this was a cemetery that was discarded and not maintained. The City took over the cemetery, along with the contractor, and beautified the cemetery. He further explained that this declaration allowed the City to have the standards of maintenance at this cemetery as it had at every other one. Commissioner Moore stated they had no problem requesting grant money for improvements at this cemetery. Mr. Koenig stated he was in favor of this declaration.

Commissioner Moore thanked all the staff for their hard work at this cemetery.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Large User Water Agreement - Broward County - Port Everglades

(R-1)

A resolution authorizing the proper City officials to execute a thirty (30) year Large user Water agreement with Broward County for service to Port Everglades.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 02-14

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 30-YEAR AGREEMENT WITH BROWARD COUNTY, PROVIDING FOR CITY WATER SERVICE AND WATER AND WASTEWATER BILLING SERVICE TO AND FOR PORT EVERGLADES.

Which resolution was read by title only. Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

The Commissioned returned to Item PH-5.

Kurt Spitzer stated that if they were to operate from Plan 1.3 and do the changes in the River Run area and include the area with the 143 people, the total deviation in terms of a point spread would come to 11.63 percentage points. Commissioner Smith stated that it could not be done and proceeded to ask for an answer of what they could do.

Commissioner Moore asked if one were to deal with River Run the way it was recommended and went back to the City View location as it presently existed, what would happen.

Mayor Naugle remarked that as far as splitting, some neighborhoods thought it was a good idea to have two Commissioners represent them, and some residents in City View wanted to be in District II, and he proceeded to ask if that was such a bad situation.

Commissioner Smith stated that it did not work for City View and he would not support it. He further stated that he believed that he and Commissioner Moore ignored the area. There were problems there and the "buck got passed." Commissioner Moore stated that he held District III meetings on a monthly basis and every Association participated, including City View until the Regal Trace matter came into play, and then they stopped going to the meetings and avoided the issue.

Commission Smith reiterated that he felt it was in the district's best interest to have one Commissioner represent them.

John McConaha stated that he did not think it would create a problem with the residents of City View if they were split, and if this would solve the problem for the City they would not hold back progress.

Mayor Naugle stated that the Commission would pause discussing this item and proceed with some other items on the agenda.

**Executive Airport - Assignment of Aero Toy Store, Inc.
Parcel 9A and 9B Lease to Aero Toy Store, LLC**

(R-2)

A resolution authorizing the proper City officials to consent to the assignment of the Parcel 9A and 9B lease agreement from Aero Toy Store, Inc. to Aero Toy Store, LLC.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 02-142

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER
CITY OFFICIALS TO ENTER INTO A CONSENT OF ASSIGNMENT
OF LEASE AGREEMENT WITH AERO TOY STORE, INC., AS
ASSIGNOR, AND AERO TOY STORE, LLC, AS ASSIGNEE,
PERTAINING TO PARCELS 9A AND 9B AT FORT LAUDERDALE
EXECUTIVE AIRPORT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

**Amendment to Agreement - Broward County - Broward
Boating Improvement Program (BBIP) Grant - George
English Park Boating Improvements**

(R-5)

A resolution authorizing the proper City officials to execute an amendment to the agreement with Broward County for the BBIP grant for the George English Park boating improvements, to allow for a one-year extension of the time of performance required to complete the project from January 9, 2003 to January 9, 2004.

Commissioner Smith introduced the following resolution:

RESOLUTION No. 02-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE BROWARD BOATING IMPROVEMENT PROGRAM GRANT EXTENDING THE GRANT PERIOD TO COMPLETE THE GEORGE ENGLISH PARK BOATING IMPROVEMENTS PROJECT TO JANUARY 9, 2004.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

**Interlocal Agreement - Broward County -
City Utility Billing Services - Melrose Park Area**

(R-6)

A resolution authorizing the proper City officials to execute an Interlocal Agreement with Broward County for the administration of the billing and collection of sanitary sewer, stormwater, and sanitation services by Broward County on behalf of the City for residents that receive water service from Broward County.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 02-146

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF FORT LAUDERDALE AND BROWARD COUNTY FOR THE ADMINISTRATION OF THE BILLING AND COLLECTION OF WASTEWATER, STORMWATER, AND WASTE COLLECTION AND DISPOSAL CHARGES BY BROWARD COUNTY ON BEHALF OF THE CITY OF FORT LAUDERDALE RESIDENTS THAT RECEIVE WATER SERVICE FROM BROWARD COUNTY.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Water and Sewer Bond Reimbursement

(R-8)

A resolution declaring the official intent of the city to issue revenue bonds in order to reimburse itself from the proceeds of such revenue bonds for funds advanced by the City for certain expenses incurred with respect to the acquisition, construction and equipping of certain capital improvements to the water and sewer system of the City, and authorizing other certain incidental actions.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 02-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING THE

OFFICIAL INTENT OF THE CITY OF FORT LAUDERDALE TO ISSUE REVENUE BONDS IN ORDER TO, AMONG OTHER THINGS, REIMBURSE ITSELF FROM THE PROCEEDS OF SUCH REVENUE BONDS FOR FUNDS ADVANCED BY THE CITY FOR CERTAIN EXPENSES INCURRED WITH RESPECT TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY OF FORT LAUDERDALE; AND AUTHORIZING CERTAIN INCIDENTAL ACTIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Grant Application - Broward County Boating Improvement Program (BBIP) - Marshall's Point Boating Improvements

(M-12)

A resolution authorizing the proper City officials to apply for a Broward County BBIP grant in the amount of \$200,000 for the funding of boating improvements at Marshall's Point; and further authorizing the proper City officials to execute any and all documents necessary to receive such grant funding.

Commissioner Hutchinson stated that this item had been pulled because it was to be a resolution.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 02-140

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE APPLICATION TO BROWARD COUNTY FOR A BROWARD BOATING IMPROVEMENT PROGRAM GRANT FOR FUNDING SEAWALL AND DOCKING IMPROVEMENTS AT MARSHALL'S POINT; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL DOCUMENTS NECESSARY TO RECEIVE SUCH GRANT FUNDING.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

The Commission returned to further discuss Item PH-5.

Kurt Spitzer stated that with the changes made to Plan 1.3B as discussed, the total deviation was 9.73% and it would be legally defensible. He further clarified that the changes would be the area in Sistrunk, 9th, 7th, and Sunrise Boulevard which Commissioner Moore stated previously, along with splitting City View as it presently exists with a total of 95 people.

Commissioner Moore introduced the following ordinance on first reading, with the understanding that the above suggested geographical changes be considered until the second reading of the ordinance.

ORDINANCE NO. C-02-23

AN ORDINANCE ESTABLISHING, PURSUANT TO SECTION

7.12 OF THE CITY CHARTER, GEOGRAPHICAL BOUNDARIES OF THE FOUR CITY COMMISSION DISTRICTS SO THAT SUCH DISTRICTS SHALL BE AS APPROXIMATELY EQUAL IN POPULATION AS IS PRACTICABLE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Mayor Naugle announced there would be another public hearing on this matter at the Commission meeting on September 17, 2002 at 6:00 p.m.

Fiscal Year 2002/2003 Fire Rescue Special Assessment

(PH-3)

A public hearing to consider a resolution relating to the provision of fire rescue services, facilities and programs in the City; reimposing fire rescue assessments against assessed property located within the City for the fiscal year beginning October 1, 2002; approving the rate of assessment; approving the assessment roll; and providing an effective date. Notice of public hearing was published August 9, 2002.

Terry Sharp, Assistant Finance Director, stated that the proposed Fire-Rescue assessment was a 5% increase over the current charge for residential properties. It would recover approximately 26% of the portion of the Fire-Rescue budget that was not EMS.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Mayor Naugle announced that the proposed Fire - Rescue Special Assessment rate would be \$42 for each residential property, and the proposed Fire-Rescue Special Assessment rate for non-residential property shall be as shown on the detailed rate schedule provided in the Resolution approving the Fire-Rescue Special Assessment.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 02-137

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF FORT LAUDERDALE, FLORIDA; IMPOSING FIRE RESCUE ASSESSMENTS AGAINST NEWLY ANNEXED PROPERTIES AND REIMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF FORT LAUDERDALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

**Proposed Use of FY 2002-2004 Local Law Enforcement
Block Grant (LLEBG) Funds****(PH-4)**

A public hearing to consider the proposed use of LLEBG funds in the amount of \$465,226 for the period of October 1, 2002 through September 30, 2004; authorizing the transfer of \$46,523 from the Law Enforcement Trust Fund to be used as a cash match to Grant Account GLLEBG04 as revenue; and further authorizing for the proper City officials to execute all documents necessary to accept such funds. Notice of public hearing was published August 23 and 30, 2002.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the proposed use of FY 2002/2004 LLEBG funds as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

**Historic Designation - Ben V. Robinson and Jeff S. Cobb -
1109 N.E. 16 Place (HPB Case No. 25-H-02)****(PH-6)**

At the July 8, 2002 regular meeting, the Historic Preservation Board **denied** the following application by a vote of 3-5.

Applicant:	Ben V. Robinson and Jeff S. Cobb
Request:	Historic designation (landmark) status
Location:	1109 N.E. 16 Place

Michael Ciesielski, Planner II, Construction Services Bureau and Staff Liaison to the Historic Preservation Board (HPB), stated that this was to grant a historic designation status to the property located at 1109 N.E. 16 Place in Middle River Terrace. The City received an application on May 28, 2002 from the property owners requesting historic designation. He proceeded to show the Board the criteria for designation. He explained that in order to receive designation one or more criteria had to be met. The applicant contended they met criteria (c), (f), (g), and (h). At their meeting on July 8, 2002, the Historic Preservation Board by a 3-5 vote recommended that the City Commission denied the request to designate the subject property historic because they felt it did not meet the criteria. Specific reasons offered for their position included the belief that the property had more of a design appeal rather than a historic appeal, that the property was not representative of the neighborhood since the surrounding structures appeared to be older, that the designation of buildings built in the 1950's with a '70's addition (such as this property) would create the erroneous impression that every building in the City should be preserved. The three members who recommended approval of the application felt that the age of the building should not be of primary significance in determining the appropriateness for designation. One member cited the fact that several WWII buildings in the St. Petersburg, Florida area had received local designation, and another member felt that criteria (g) had been met.

Michael Ciesielski stated that the Commission should consider the application and the record and recommendation of the HPB and hear public comment on the matter. If the Commission determined that the proposed designation met the criteria, the Commission should approve the designation as requested in the application or approve it with conditions necessary to insure that the criteria would be met. If the Commission determined that the proposed designation did not meet the criteria for designation, the Commission should deny the designation application. He proceeded to show photographs of the structure.

Merrilyn Rathburn, Fort Lauderdale Historical Society and Consultant to HPB, stated that the applicant

was asking for designation of their property. In 1952 building permit No. 33763 for a single-family residence with attached carport was issued for this address. Leonard Glasser, contractor, architect, and developer, designed and built the home as a model for Land of Sun Homes, Inc. The house was a low-slung modern ranch with a typical stretched out footprint having a low-pitched hip roof. There was a free-standing neo-Mediterranean arcade in front of the street elevation, along with a 1970's addition at the side rear of the structure. Section 47-24.11.a. was cited by Ms. Rathbun. As representative of post-war era development architecture in Fort Lauderdale, rather than as a unique structure, the house met the criteria for designation under (f) which Ms. Rathbun proceeded to read.

Ms. Rathbun continued stating that the applicant did provide a history of the house's ownership and suggested that a past owner was sufficient to have the house designated. She proceeded to read criterion (c). She explained that this criterion was normally used to refer to someone of major significance in local development such as Frank Stranahan, Tom Bryan, and former Mayor John Russell, or state or national figures. She further explained that the Board was asked to consider additional criteria for designation which was 6 (d) which she proceeded to read. She further stated that preservationists used the 50-year requirement, but it was not a hard and fast rule. This 50-year requirement was not in today's ordinance. The house had a 1970's addition which had considerable architectural distinction. The footprint was in the shape of two connecting hexagons and had architectural details unique to the 1970's, including a conversation pit. Marilyn Rathbun stated if the Commission chose to designate the 1950's structure alone they needed to designate the whole building and specify that the 1970's addition was non-contributing. They could also consider the 1970's addition for nomination.

Ben Robinson, applicant, thanked the City for permitting citizens to participate in the preservation of the City's history. He stated that Ms. Rathbun had presented several reasons why the home should be declared historic. He continued stating that the Historic Board debated their decision. He felt that historic preservation should be about preserving as much of history as possible.

William Saunders, member of the Historic Preservation Board, stated that it was commendable that the owners of the property offered their property for designation. He stated that he based his vote on backup information that was supplied by professionals and the Board did have difficulty in making their decision. He stated they were an advisory board to the Commission and offered their opinions, but the decision lay at the hands of the Commission.

Charles Jordan, Chairman of the Historic Preservation Board, stated that he was speaking as one of the minority of the vote that had been taken at the HPB meeting. He stated they needed to be careful not to confuse their personal architectural preference with the need for historic preservation. He further stated that there were no 1950's houses designated under the ordinance and nothing was protected for that era. He believed they had an obligation to err on the side of preservation regarding this property. He continued stating that they risked becoming preservation snobs when they said they only wanted to preserve what was pleasing to an individual instead of recognizing a property for its contribution to any particular era.

Commissioner Smith and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Commissioner Smith stated that this home did, in his opinion, have historical significance. He stated that the home did have some local historical relevance. He agreed with Mr. Jordan that when a homeowner presented an application for designation, they should jump at the opportunity being provided.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 02-138

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE BUILDING
AND PROPERTY LOCATED AT 1109 N.E. 16TH PLACE, FORT
LAUDERDALE, AS A HISTORIC LANDMARK PURSUANT TO
SECTION 47-24.11 OF THE UNIFIED LAND DEVELOPMENT
REGULATIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: Katz.

**Historic Designation - Roger Eric Russo and
Kristen Smith - 615 N.E. 15 Avenue (HPB Case No. 26-H-02)**

(PH-7)

At the July 8, 2002 regular meeting, the Historic Preservation Board approved the following application by a vote of 7-0.

Applicant: Roger Eric Russo and Kristen Smith
Request: Historic designation (landmark) status
Location: 615 N.E. 15 Avenue

Mayor Naugle announced that the public hearing was opened.

Kristen Smith, applicant, stated that the home was built circa 1925 and was a shotgun house, Dade County pine, Key West and New Orleans style. Pictures were shown of the structure. Ms. Smith stated that she wanted to see the historic side of this City along side the boom it is now experiencing. She urged the Commission to designate the property historic.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to close the public hearing. Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Mayor Naugle stated that he and the Commissioners had reviewed the record brought before the Board by the Historical Society in their backup material from staff and it was all part of the record.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 02-139

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE
BUILDING AND PROPERTY LOCATED AT 615 N.E. 15TH
AVENUE, FORT LAUDERDALE, AS A HISTORIC LANDMARK
PURSUANT TO SECTION 47-24.11 OF THE UNIFIED LAND
DEVELOPMENT REGULATIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: None.

**Vacate a Portion of S.W. 18 Court - City of Fort Lauderdale City
of Fort Lauderdale/Engineering Services Bureau (PZ Case No. 3-P-02)**

(PH-8)

At the Planning and Zoning Board regular meeting on July 17, 2002, it was recommended by a vote of 6-0 that the following application be approved. Notice of public hearing was published August 23 and 30, 2002.

Applicant: City of Fort Lauderdale/Engineering Services Bureau
Request: Vacate a portion of S. W. 18 Court
Location: S.W. 18 Court, north of S.W. 20 Street between the
Florida East Coast (FEC) Railroad and S.W. 1 Avenue.

Mayor Naugle announced the public hearing was opened.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close the public hearing. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: None.

Commissioner Smith introduced the following ordinance on first reading:

RESOLUTION NO. C-02-24

AN ORDINANCE VACATING, ABANDONING AND CLOSING THE SOUTHWESTERLY 65 FEET OF THE SOUTH HALF OF SOUTHWEST 18TH COURT, (PLATTED AS MARION AVENUE), AS SHOWN ON THE PLAT OF "CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 28 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; LYING NORTHEASTERLY OF THE NORTHWESTERLY EXTENSION OF THE WEST LINE OF LOT 1 OF BLOCK 59, OF SAID "CROISSANT PARK," LOCATED BETWEEN SOUTHWEST 1ST AVENUE AND FLAGLER AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: None.

Amend Chapter 28 - Rates for Water, Wastewater and Stormwater

(O-2)

An ordinance amending Chapter 28 of the Code of Ordinances entitled, "Water, Wastewater and Stormwater," by amending Sections 28-76, 28-141, 28-143, 28-144 and 28-145 thereof to increase wastewater user rates, tapping charges, water rates, sprinkling meter charges, and private fire service protection charges. Notice of proposed ordinance was published August 25, 2002.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-02-25

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "WATER, WASTEWATER AND STORMWATER," BY AMENDING SECTIONS 28-76, 28-141, 28-143, 28-144, AND

28-145 THEREOF, TO INCREASE WASTEWATER USER RATES, TAPPING CHARGES, WATER RATES, SPRINKLING METER CHARGES, AND PRIVATE FIRE SERVICE PROTECTION CHARGES.

Commissioner Hutchinson asked if this went along with Plan of years 1, 6 and 10 or was it an "added attraction" rate increase.

Greg Kisela, Assistant City Manager, stated that this was the annual 2.5% and in addition to the 2.5% for the first ten years and in years 1, 6 and 10 an additional 2.5%.

Commissioner Moore stated that he was supporting this only due to the fact that this was the way things could be done with the least amount of pain even though it was an increase.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Amend Chapter 28 - Rates for Water, Wastewater and Stormwater - Waterworks 2011 Water and Wastewater Capital Improvement Plan (CIP)

(O-3)

An ordinance amending Chapter 28 of the Code of Ordinances entitled, "Water, Wastewater and Stormwater," to address the Waterworks 2011 Water and Wastewater CIP by amending Section 28-26 to provide for additional definitions; and by amending Section 28-33, "Connection to Sanitary Sewer Required," to require connection to the Sanitary Sewer System, to provide for sewer connection charges and payment options, and to provide for a ten percent (10%) surcharge on new users of the wastewater system. Notice of proposed ordinance was published August 25, 2002.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer first reading to Tuesday, November 5, 2002 at 6:00 p.m. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle.

The City Commission revisited Item M-41.

No. 1 - 2150 S.E. 17 Street (CE99020686) - Landmark First National Bank/Marina Motor Inn Enterprises - \$25,000

Mayor Naugle asked if these were the same people who donated the money for the park under the bridge.

Chris Weir, Battalion Chief, stated that the actual cost incurred was approximately \$10,000.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the fine be reduced to \$10,000. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: Commissioner Moore.

No. 4 - 729 N.W. 3 Avenue (CE99021001) - Patrick Williams and Perito Williams - \$14,000.

Patrick Williams, owner, stated that he was not in agreement with the \$14,000 fine. He explained that his father had been the previous owner and was deceased and left the property to one of his brothers who

ignored the property allowing all the violations to occur. He explained that they had cleaned up the property.

Commissioner Katz left the meeting at 12:00 midnight.

John Simmons, Assistant Community Inspections Director, stated that since Mr. Williams took over the property it had been cleaned up. Mr. Williams stated that he lived in Parkland. Commissioner Moore asked when Mr. Williams took control of the property. Mr. Williams stated that he took control in late 1999

and since 2000 it had remained cleaned. Commissioner Moore stated that the Special Master heard this case in March, 1999 and it started with a \$25 per day violation, and due to the fact of non-response the fine increase to \$200 per day. Mr. Williams stated there had been a communication break down.

Mayor Naugle clarified that this property had been in compliance for a long time but the negotiations had not begun regarding the settlement. Mr. Simmons confirmed.

Commissioner Smith stated that he had a problem with this item regarding the nature of the problems, and therefore, would not vote. He stated they needed to make it very clear and painful that if one left his property in terrible condition and imposed bad conditions on the adjacent property owners, they would be penalized. He felt they needed to send the message that they would not settle below \$.15 on the dollar. He felt these were critical violations which kept an area depressed.

Commissioner Hutchinson agreed that the violations were the type they were attempting to get rid of, but this gentleman took control of the property and cleaned it up and did not create the problems.

Commissioner Moore stated that his concern was that the property was owned by a family and should not have been in this condition.

Mr. Williams stated that there was an ownership issue.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to reduce the fine to \$7,000. Roll call showed: YEAS: Commissioners Moore, Hutchinson, and Mayor Naugle. NAYS: Commissioner Smith.

No. 9 - 305 S.W. 24 Avenue (CE98042317) - Valerie Henry - \$1,300.

Valerie Henry, owner, stated that she agreed to the fine but asked for an extension of 60 days in order to make payment.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to have the applicant pay the \$1,300 with the stipulation that it be paid in 60 days. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: None.

No. 10 - 524 North Federal Highway (CE01111626) - Samuel R. Schwartz - \$4,800.
Commissioner Smith stated that the settlement was 50% of the fine.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith that the fine be reduced to 50% of the amount. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Smith, and Mayor Naugle. NAYS: None.

At 12:05 a.m. Commissioner Katz returned to the meeting.

No. 12 - 6201 North Dixie Highway (CE00060072) - Hess Realty Corporation - \$5,600.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve as

recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

No. 13 - 1220 N.E. 5 Terrace (CE00111689) - Auriole Hilaire - \$6,225.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

No. 14 - 808 S.E. 13 Street (CE98040191) - Vanessa Rossi - \$1,000.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

No. 15 - 1830 S. E. 4 Avenue (CE00091230) - Adquarters, Inc. - \$1,200.

Sal Sabella, Adquarters, Inc., stated that he purchased the property three years ago and it was in disrepair. He desired to convert the property into an office.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

No. 16 - 1800 N.W. 14 Avenue (9119244) - Salomon Brothers Realty Corporation - \$7,000.

Robert Liguori, Liguori Homes and Investments, stated that they specialized in foreclosures, drug confiscations and crack houses. His client foreclosed on this property two months ago and acquired title with three liens and an order for demolition. He explained that he worked for Bob Pignataro and began taking care of some of the items. He wanted to have this matter settled so the new owner could close on the property and take control and continue with the renovations.

Commissioner Moore asked how long the tenant operate the property in this manner. John Simmons stated the latest owner purchased it through foreclosure proceedings and they wanted to continue with the renovations. Mr. Liguori explained that the liens ran back to 1992. The new owner would continue renovations and then resell the property as a single-family structure.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the \$7,000 settlement. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

No. 17 - 1155 Chateau Park Drive (CE01021405) - Dumervil Poliard, Sulfida Pericles, and Margaret Smikle - \$2,000.

Chalanda Dowes, General Contractor, stated that this first came about in October, 2001 when the owners attempted to make home improvements not knowing they needed a permit to change existing windows. The carport was already existing on the property. Trash accumulated while making the improvements on the property.

John Simmons stated that the property was in compliance. The Commission was shown photographs of the property. He felt that if the fine was dropped to \$1,000 it would cover the City's costs. He further stated that he would work with the owners regarding payments to be made within one year.

Motion made by Commissioner Smith and seconded by Commissioner Smith to reduce the fine to \$1,000. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle.

NAYS: None.

Commissioner Moore asked why the City was using an agency to review this process rather than someone more experienced in these issues.

John Simmons stated that they used them in the past and the procedure was recommended to him.

Negotiate for Purchase of Insurance

(R-7)

A resolution authorizing the proper City officials, in accordance with City Code Section 2-199, to conduct negotiations for the purchase of insurance for the City.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 02-147

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 2-199 OF THE CODE OF ORDINANCES, AUTHORIZING THE CITY MANAGER TO CONDUCT NEGOTIATIONS FOR THE PURCHASE OF EMPLOYMENT PRACTICES AND PUBLIC OFFICIALS LIABILITY INSURANCE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Demolition of Buildings

(R-3)

At the July 18, 2002 Unsafe Structures and Housing Appeals Board meeting, it was recommended that the following buildings be demolished and the properties be assessed with the appropriate costs:

- a. 1270 N.W. 9 Street
- b. 1700 N.W. 9 Street

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 02-143

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A", BECAUSE OF NON-COMPLIANCE WITH THE FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Lot Clearing and Cleaning Charges

(R-4)

A resolution authorizing the imposition of liens against certain properties for costs associated with clearing and removal of debris located thereon.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 02-144

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF CLEARING LOTS FOUND TO HAVE AN UNLAWFUL OR EXCESSIVE ACCUMULATION OF RUBBISH, DEBRIS OR TRASH UNDER CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA AND IMPOSING SPECIAL ASSESSMENT LIENS AGAINST SUCH PROPERTIES FOR THE COST AND EXPENSE INCURRED IN CLEANING AND CLEARING SAME; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Advisory Board Appointments

(OB)

Commissioner Smith introduced a resolution to approve the following board appointments:

Beach Redevelopment Advisory Board	Ina Lee
Board of Commissioners of the City of Fort Lauderdale Housing Authority	Reesa Watson
Citizen Review Board	Arnold Cooper
Community Appearance Board	Marni Canavan
Economic Development Advisory Board	Pat Du Mont
The Local Law Enforcement Block Grant Advisory Board	Chief Bruce Roberts Dr. Joseph Molita Carol Lee Ortman Monica Hofheinz Sandi Johnson
Planning and Zoning Board Cemeteries Board of Trustees	Ellyn Bogdanoff Mary Boyd.

RESOLUTION NO. 02-151

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD
MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO
AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson,
Katz, Smith, and Mayor Naugle. NAYS: None.

There being no further business before the Commission, Mayor Naugle adjourned the meeting at 12:25
a.m.

Jim Naugle
Mayor

ATTEST:

Lucy Kisela
City Clerk